DOCUMENTS

RELATIVE TO THE

COLONIAL HISTORY

OF THE

STATE OF NEW-YORK;

PROCURED IN

HOLLAND, ENGLAND AND FRANCE,

BY

JOHN ROMEYN BRODHEAD, ESQ.,

AGENT,

UNDER AND BY VIRTUE OF AN ACT OF THE LEGISLATURE ENTITLED "AN ACT TO APPOINT AN AGENT TO PROCURE AND TRANSCRIBE DOCUMENTS IN EUROPE RELATIVE TO THE COLONIAL HISTORY OF THE STATE," PASSED MAY 2, 1839.

EDITED BY

E. B. O'CALLAGHAN, M. D.

VOL. VI.

ALBANY:

WEED, PARSONS AND COMPANY, PRINTERS.

1855.

These Documents have been published under the direction of the GOVERNOR, SECRETARY OF STATE and COMPTROLLER of the State of New-York, in virtue of an Act of the Legislature of the said State, entitled "An Act to Provide for the Publishing of certain Documents relating to the Colonial History of the State," passed March 30th, 1849.

The Documents in Dutch and French were translated by E. B. O'CALLAGHAN, M. D., who was employed by the State Officers above named for that purpose, and to superintend the publication generally.

TRANSCRIPTS OF DOCUMENTS

IN THE

QUEEN'S STATE PAPER OFFICE; IN THE OFFICE OF THE PRIVY COUNCIL; IN THE BRITISH MUSEUM; AND IN THE LIBRARY OF THE ARCHBISHOP OF CANTERBURY AT LAMBETH, IN LONDON.

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LONDON DOCUMENTS :

XXV–XXXII.

Representation of the Society for the Propagation of the Gospel in Foreign Parts.

[New-York Papers, Bundle Ee., No. 31.]

To the Right Honôble the Lords Commissioners for Trade and Plantations.

The Representation of the Society for the Propagation of the Gospel in Foreign parts in behalf of themselves and of the Revd Mr Thomas Colgan their Missionary at the Parish of Jamaica in Queen's County in the Province of New York.

Sheweth

That in the year 1693 the Assembly of New York passed an Act for settling a Ministry and raising a Maintenance for them in the City of New York, County of Richmond, Westchester & Queen's County, which Act (very truely) recited that prophaneness and licentiousness had then of late overspread the Province for want of a settled Ministry throughout out the same, and to the end the same might be removed and the ordinances of God duely Administred, it was enacted: that there should be called, inducted and established a good sufficient protestant Minister to officiate and have care of souls within one year next after the publication of that Act, in the several parishes and places in the Act mentioned, one of which, was to have the care of Jamaica afore said and the adjacent Towns and Farms, and there should be annually, assessed, levyed collected and paid, for the maintenance of the said Minister of Jamaica in Queen's County the sum of sixty pounds in Country produce, at mony price. And directions were therein contained for laying a Tax on the Inhabitants yearly in order to raise the said maintenance for the Minister, and the Church Wardens in their respective precincts, were to pay to the Minister the aforesaid maintenance by four equal quarterly payments under penalty of five pounds for each neglect, refusal or default. And it was enacted that the respective

Ministers that should be settled in the respective precints therein before named, should be called to officiate in their respective precints by the Vestry Men and Church Wardens.

That the said Act of Assembly received the Royal Confirmation on the 11th of May 1697.

That in the year 1703. The Assembly of New York passed an another Act for the better explaining and more effectually putting in execution the forementioned Act and thereby further provision was made for the laying a tax annually for the raising the maintenance for the Ministers, and it was enacted, that all the payments that should there after be made and paid to the then Incumbents, and to every Incumbt who should there after be presented instituted and Inducted, for the respective maintenances, should be made and paid to them in currant money of the Province. And it was further enacted that the respective Vestry Men and Church Wardens for the time being or the Major part of them, whereof one Church Warden should always be one, should and were thereby impowered to call and present after the death of the several Incumbents for ever a good sufficient Protestant Minister within one year next after the Avoidance of any of the said places which Ministr should respectively be instituted and Inducted to the Churches and so as often as any of the said places became void.

Which last mentioned Act also received the Royal Confirmation upon the 30th of March 1704.

That the 60 pounds a year, whether in country produce or in New York money not being of itself a reasonable maintenance, for a good sufficient protestant Minister, the Vestry or Inhabitants of the said precinct of Jamaica and of several other places within the province of New York (where the allowances appointed by the said Acts of Assembly were as little or less) have applyed to the Society for the propagation of the Gospel to send over Missionaries from Great Brittain under salarys from the Society, which the Society have from time to time done, and the said Society on their parts do so far provide for their Missionaries that the annual allowances which they make to their several Missionaries, Schoolmasters, and Catechists within that province of New York amount to 635 pounds sterlg a year; of which 65 pounds a year is allowed by the Society to a Missionary and Schoolmaster in the precinct of Jamaica aforesaid besides furnishing the Missionaries for their own and their parishoners use with Books and small Tracts. The said Society being always willing to assist such of the British Colonys as are desirious to contribute what they can on their parts to the maintenance of the protestant Ministers among them.

That some years since, the Society sent over Mr Poyer as their Missionary to the said precinct or Parish of Jamaica, who continued there and received the appointment made by the Act of Assembly and the Society's additional salary, to the time of his death which happened about the Month of Janry 1731.

That upon or rather before the death of the said Mr Poyer, the said Mr Colgan was appointed by the Society their Missionary in his stead and he being in New York at Mr Poyer's death officiated and performed the duty's of Minister in the said Parish of Jamaica from the month of June 1732 and is since inducted into the Parish.

Notwithstanding which the Vestry did not pay him the said New York maintenance but kept it back and the Assembly of New York have passed an Act (which was published the 1st of Novr 1733) to impower the Vestry of the parish of Jamaica in Queen's County to dispose of sixty pounds now in hands of the Church Wardens of the said parish for the use and benefit of that Parish; which Act recites that after the death of Mr Poyer late Minister of the said Parish, and before the induction of Mr Colgan the present Minister thereof, there was raised in the said parish sixty pounds & paid to the Church Wardens and no person intitled

to receive the money, and it lying useless to the Inhabitants, therefore it is enacted that the vestry of the said parish may receive the money from the Church Wardens and may apply it to such use and benefit of the Parish as they or the major part of them shall think fit.

That the Society conceives there are many irregularities as well as hardships in the said Act which they offer to your Lord^{pps} consideration as follows.

1. That of that year for which the 60 pounds mentioned in the last act was raised, the said M^{r} Colgan had officiated above nine months as minister in the said Parish, and he has been since formally inducted there; and the ground of the Act now complained of, seems to be only this, that during that time tho' M^{r} Colgan might officiate, yet he was not actually inducted, but the Society conceive that that is neither a true explanation of the former Act of Assembly (which have the words: "called and established, as well as inducted) nor is by any means grateful to the Society who sent and paid M^{r} Colgan on their parts, nor yet just with regard to him, whose service the parish had had, to all intents as much as if he had been in form inducted.

2^{ly} The Society conceive that the Assembly of New York would not have consented to this Act, had it been fairly brought in and had all party's (particularly M^{r} Colgan who is affected by it) been heard, but they are informed (and believe very truely) that this Act was brought into the Assembly and passed of a sudden in the absence of M^{r} Colgan (whose parish is at some distance from the Assembly Town) and entirely unknown to him, who therefore had no possibility of opposing it there.

3. That as the former Acts had settled and dedicated this sum for the maintenance of Ministers, admitting it might not belong to M^{r} Colgan while he merely officiated as Minister, yet, so soon as he was actually inducted, the Society conceive the arrears since the former Incumbents death belonged to him in point of Law, and he had all sorts of titles to it, having actually served the cure in his own person as aforesaid.

4^{ly} That as this maintenance was enacted by the Assembly of New York for the settlement of a Protestant Ministry and that they might have God's ordinances duely Administered among them, the Society conceive, it is not properly in the power of a future Assembly to alter the uses for which the settlement was given and intended, and to take away and apply it to any other uses.

5. The last consideration receives some addition from this, that the former Acts, which appointed this settlement and maintenance for the Minister for ever, received long since the Royal confirmation, but this last Act of the Assembly effectually repeals what the Crown itself had established, and yet, never takes the least notice of, or mentions those former Acts, wherefore the Society hope, though this be a single particular case, yet, being a precedent of such a very extraordinary nature, in so many respects, that it shall receive the greatest discouragement.

6. That it was sometime before the Assemblys of New York were induced to make the settlement before mentioned, and it may be feared, that if this present attempt should receive the least countenance it may be followed by others, even to the taking away and misapplying the whole Revenue and maintenance appointed and established for the settling and maintaining a Protestant Ministry in the Province of New York forever.

Wherefore, upon the whole the said Society entreat Your Lord^{pps} to report the last Act of Assembly which is intituled: "An Act to impower the Vestry of the Parish

of Jamaica in Queen's County to dispose of sixty pounds now in the hands of the Church Wardens of the said Parish for the use and benefit of that Parish," to His Majesty for his disapprobation and disallowance.

FERD. JOHN PARIS
for the Society.
10. May 1734.

Governor Cosby to the Lords of Trade.

[New-York Papers, Bundle Ee., No. 83.]

New-York 19. June 1734.

My Lords,

I beg leave to inclose to your Lord^{pps} my speech to the Assembly their address thereon, and an address of the Merchants of this place to me; the two main points I came hither determined to pursue, are the rights of the King and the interest of the people, one I have recommended to them throughout my speech and pointed out the ways most likely to Revive their Trade, which in truth is in a very declining state and to fortifye their province against a time of war; and this I have done without the least private view, it lyes upon them now to do their part. The other it shall be my study and my utmost endevour to maintain I have begun already to put the collection of the Quit Rents upon a better foot than hitherto they have been, by obliging the Sherriffs in the respective Counties to collect and return them to the Receiver General, but that without the assistance of the Court of Exchequer won't do, for the Court of Chancery has not given that dispatch to business which the King's suits require; this was talked of by the Judges of the supreme [court], long before my arrival, and upon a full consideration of it they resolved to admitt and hear Causes in the Equity side of the Exchequer, having as their predecessor always had sufficient authority by their Commissions for so doing, in pursuance of what the Judges had so resolved on, wherein they had the opinion and concurrence of the most eminent of our Lawyers at the Bar, an ordinance was prepared for appointing sittings out of term for the greater dispatch of business, and revised by the late Chief Justice Morris and the other Judges of the Supreme Court, and afterwards past by me with the advice of His Maj$^{ty's}$ Council; about this time the Attorney General filed a Bill in the Equity side of the Exchequer against M^{r} Rip van Dam the president of the Council of this Province for half the Salary and perquisites of the Govern^{t} (for he had received the whole from Coll: Montgomerie's death) which his Majesty had been Graciously pleased to give to me for which van Dam pleaded and demurred; the Att: Gen^{l} and the other Council retained for the King having prepared their arguments against the plea and demurrer rose up to speak, but Morris without speaking a word to the other two Judges told them they must speak only to the Jurisdiction of the Court to hold pleas in Equity; this surprised them, as well it might, they desired leave to argue the whole plea and demurrer and not that particular point, for that what they had to say on that head was so blended and interspersed with the other parts of their arguments, that they could not well separate them; this however would not be admitted by Morris for an Excuse so that he obliged them to speak

to that single point; Van Dam's Council were under no surprise nor made any apology, but as if they had before hand been instructed by Morris they read their arguments on that single point without the least hesitation whereby the Kings Council conceived that they had prepared themselves for that alone, and Morris himself as soon as ever they had done speaking, pulled out of his pocket and read a long argument against the Jurisdiction of the Court to try Causes in Equity and against the Kings Authority to erect Courts of Equity; thus he who by his oath and office was obliged to maintain the King's prerogative, argued strenuously against it in the face of a numerous audience, teaching the people irreverence and disrespect to the best of Kings, and to his Courts of Justice, and he who ought (nay, in common decency should) have taken some time to consider the argument, on both sides before he gave his opinion, came before he had heard either side, with a paper in his pocket in maintenance of that part of Van Dam's plea, which by his argument appears he had not then seen; and indeed his zeal was so great, that before the Council on either side had spoken he was going to read his own opinion; the two other Judges tho' much amazed at Morris's behaviour, yet said nothing at that time, resolving to consider the arguments on both sides; M^r^ Delancey the Second Judge gave his opinion in a few days with much judgement as I am informed in justification of the Authority of the Court, and of the King's prerogative to establish Courts of Equity in the Plantations; M^r^ Phillipse the third Judge not being ready that term gave his opinion the first day of the next on the same side of the question with Judge Delancey, Morris not being then present, but the next day upon the Bench and in open Court before a great appearance of people he told Judge Delancey and Judge Phillipse, tho' he had never seen nor heard the opinion of the latter that their opinions and reasons were mean, weak and futile and that they were only his assistants; those Judges as they had cause resented this treatment and being constant to their opinions told Chief Justice Morris that their authority in determining points of Law were equal to his, that their opinions concerning their Judgement was the Judgement of the Court; upon which Morris left the Bench saying that by the Grace of God he would sitt there no more when matters in Equity came before him.

I send Your Lord^pps^ herewith a copy of his argum^t^ and opinion which he himself printed[1] and industriously dispersed leaving it to Your Lord^pps^ to make Your remarks upon it.

This behaviour of Morris's awaked me to a jealousy of His Maj^ty's^ prerogative which it is my duty to maintain, and determined me to displace him which I did some time after and made M^r^ Delancey the then Second Judge Chief Justice and acquainted his Grace the Duke of Newcastle with it, but Morris petitioned His Maj^ty^ alledging that he knew no cause for my displacing him unless it was for giving his opinion in a point of Law, whereupon the Lords of the Committee of His Maj^ty's^ most honourable Privy Council directed me to send my reasons for my displacing him, and tho' his behaviour in this is I think sufficient, yet, I have given other reasons arising from his partiality and neglect of his duty, a copy whereof my Agent will deliver to Your Lord^pps^. Hence his open and implacable malice against me has appeared weekly in false and scandalous libels printed in Zengers Journal which my agent will likewise communicate to Your Lord^pps^, and even at this very time when he is petitioning for the King's favour he is making bold and presumptious attempts in the Assembly against his Maj^ty's^ authority to establish Courts.

[1] This tract is entitled — "The Opinion and Argument of the Chief Justice of *New-York*, concerning the Jurisdiction of the Supreme Court of the said province, *to determine* Causes in the Court of Equity. In a letter addressed by Lewis Morris to Governor Cosby. New-York: Printed and sold by J. P. Zenger. 1733." Folio. pp. 13. — Ed.

I do myself the honour likewise to enclose to Your Lord^{pps} a copy of M^{r} Attwoods and a copy of the late Chief Justice Morris's Commiss^{ns} that Your Lord^{pps} may see that tho' they differ in somethings (as that in Attwood's the other Judges are called Assistants, but now their Commissions are otherwise) yet as to the power of holding a Court of Exchequer they are the same, and with them I send a minute in a cause depending in the Court of Exchequer 30 years ago, from whence it will appear that the Court of Exchequer is no new Court nor are proceedings in it of a late date, and I am told by a Lawyer of note lately come hither from Barbadoes for the recovery of his health, that the Court of Exchequer in that Island subsists only on an ordinance made by the Lieut^{t} Gov^{r} and Council in King Charles the Seconds time.

Early this last spring six of the Mohock Sachims deputed by the rest of that Nation came down to New York with a deed which they had executed, making over their low Lands to his Majesty in trust for them and their posterity lest the Albany people should again ensnare them; a copy whereof I send to Your Lord^{pps} with their speech and my answer, which I hope will put to silence the malicious tongue and pen of my inveterate enemie Morris who in Zengers papers has represented me as a Criminal for getting that fraudulent deed from the Corporation of Albany, but I affirm to Your Lord^{pps} that if I had not complyed in that particular with the request of the Mohocks, they would immediately have left their Country and gone over to the French whereby we should have lost the nearest and most warlike of the six Nations, whose example, as it is well known that they have ever been the leaders and conductors of the other nations in time of war, would in all probability in case of a rupture been followed by the other Five; how fatal this might have proved to all his Majesties dominions on the continent Your Lord^{pps} well know; I, for my part thought it a matter of the highest importance, nor was there any medium to preserve the fidelity of the Six nations and deny them the justice they so loudly and publickly called for; it is Morris only with a few of his followers that exclaim against this action, for all the Men of discerning, nay, even those of Albany who were not to be sharers of the Land under that deed, applaud what I have done; the Mayor's letter (M^{r} Holland) sentiments will best appear in the enclosed copy of his letter; tho' Morris and M^{r} Alexander, one of his Majesties Council My Lords have been Van Dam's advisers, yet he himself must have consented to all the libellous aspersions and false and scandalous insinuations, wherewith the papers printed, published and dispersed in his name abound; and the Gentlemen of the Council have so just a resentment of them and tender and near regard for their own reputation and characters, that they think they can not with honour sit any longer at the Council Board with van Dam and Alexander the authors and publishers of those false and scandalous libels, they therefore by me become humble petitioners to Your Lord^{pps} to move his Majesty to displace them from their seats at that Board, which I the more readily do, not only for those reasons, but because that if the Members of that Board are suffered to be so fouly traduced by other Members of the same Board, they will decline in the esteem of the people and the Reverence and respect which is essential to their seats will be turned into contempt. Alexander is a Councellor of New Jersey as well as of this Province and being likewise Surveyor General of the Jerseys, it seems to me more proper that he should be a Councellor there than here, besides as the interest of those two Provinces may sometimes clash as they do in that Article of the partition line between them, he ought not to be a Judge of that dispute in both Councils, for his interest as Surveyor of that, may biass him at the Council board here, and in truth his being of the Council in both provinces is liked in neither, nor do

I think he or any one should be a Councellor in both; Van Dam is very old, past the use of his own reason and given up intirely to the management of Morris & Alexander.

Late in the fall last year the Gov^r^ of Louisbourg at Cape Breton sent two Officers of that Garrison in a Sloop hither desireing leave to supply themselves with provisions, especially flour to make bread which they stood in great need of having been disappointed of their usual supplys; I granted the Governor's request with the advice of the Council, entertained the Officers kindly and gave them what assistance they wanted to furnish themselves with provisions; this tho' it was no more than I ought to do both, in humanity and by the treaties subsisting between the two Crowns; yet Morris complained of it in Zenger's papers, possessing the people with a belief that they were spies sent to discover our weakness and that I was in their interest; the common people were presently alarmed and the terror grew so great and so general, that little less than an Insurrection was apprehended; and truly, My Lords, it is but too evident that, that was what Morris, van Dam and Alexander aimed at; but I have the pleasure to acquaint Your Lord^pps^ that they are defeated in their attemps, and almost all the Men of sence Estate and Credit in the province have exerted themselves, rightly abhorring those insolent and scandalous papers by which these vile wretches would have involved the Province in confusion; their sentiments of my Administration Your Lord^pps^ will see in the Merchants address, a paper concerted among themselves and actually drawn before ever I heard that they intended it, which made it the more grateful to me; there is nothing more common with writers of sedicious libels than for them to tell the world they speak the sentiments of the people, thereby endevouring to perswade them that it is their interest alone which they labour, and this has been Morris's method, but all his falsehoods, all his calumnies and letter invectives against me, have not gained the end he sought, the best Men saw through his design at first, and the eyes of these who willfully shut them are now open to discern his malice and his own selfish views, and this he effectually brought on himself; for he who called loudly in Zenger's papers for a present meeting of the Assembly the season of the year wherein it was impracticable for them to meet and urged the immediate necessity of fortifying this City, was the first in the house who started difficulties and threw rubs in the way of it.

To conclude My Lords, this man with the two others I have mentioned viz^t^ van Dam and Alexander, for their followers are now very few, and very insignificant, are the only Men from whom I am to look for any opposition in the Administration of the Govern^t^ and they are so implacable in their malice, that I am to look for all the insolent, false and scandalous aspersions, that such bold and profligate wretches can invent. I am with the greatest respect and Honour. My Lords,

Your Lord^pps^ most obedient and
faithful humble servant.
W^m^ Cosby.

Reasons of Governor Cosby for removing Chief Justice Morris.

[New-York Papers, Bundle Ee., No. 58.]

Reasons given by Colonel William Cosby for removing Mr Lewis Morris from the Place of Chief Justice at the Supreme Court of the Province of New-York. 19. June 1734.

Before I mention my reasons for removing him, I beg leave to acquaint you with the causes that induced me soon after my arrival here to inquire into his character; one is, that when I went to New Jersey, to take the oaths as by his Majesties Instructions I am directed, and receive from Mr Morris who was president of the Council the publick seals, he made me wait some hours walking before the door of the Council room before he would deliver the seals to me, being all that while busy in having a decree drawn up, which he had given exparte in a cause in the Court of Chancery, tho' he himself had never taken the oath of a Chancellor. Another is, that the day I arrived at New York, young Lewis Morris son to the late Chief Justice did before it was known that I was so near at hand, present a petition to the president and Council for an ordinance to adjourn the Circuit Court of Albany for some short time because his Father being then President of the Council of Jersey waited to deliver up the seals to me, who was then expected; the petition was granted, the ordinance passed as he desired and yet Mr Morris did not go and hold that Circuit Court which was loudly complained of and soon reached my ears.

My reasons for removal of Mr Lewis Morris from the place of Chief Justice were:

On account of his notorious partiality in the administration of Justice of which are the following instances: Some years since the dissenters in the parish of Jamaica in this Province brought an ejectment against the Church of Engld Minister, for the Church he preached in and was posessed of, when the tryall came on, the defendant's Council demurred to the plaintifs evidence. Mr Morris the Chief Justice desired them to wave the demurrer, telling them, that if the Jury found for the plaintif he would grant the Defendants a new Tryall. The Defendts Council were very unwilling to do it, but fearing the worst if they refused, they did consent and the Jury found for the plaintif. The Defendts Council moved the next term before Judgment for a new tryall and urged his promise, he denyed at first that he gave any, but when they offered to make oath of it, he said, a rash promise ought not to be kept, and never would grant them a new Tryall; whereby they lost their Church and the Dissenters have ever since had it. Another instance of his partiality is this: In 1712. the Town of Westchester conveyed to the late Chief Justice Morris and George Clarke Esqre half of their undivided lands. Jacobus van Courtland and others, claiming part of these lands (so conveyed to Morris and Clarke) went to survey them; the people of Westchester hearing of it, applyed as is said to Morris for advice, be that as it will, they got the Sheriff and two Justices of the Peace vizt one Hunt, and one Bayly, both freeholders of Westchester, under whom Morris claimed to go on the spot and their finding Courtland and his partners surveying; they fined them for Rioters and committed them to prison. Courtland upon this brings his action against Hunt and Baily; on the tryal the Defendts Council demurred, the plaintif's Council joined in demurrer and some considerable time after, the demurrer being first argued on both sides, Morris, who was then Chief Justice and Mr Walter a Merchant the Second Judge, gave judgments for the Defendants, thus in effect Morris was Judge in his own cause.

A flagrant trespass committed by him and an instance of the dread the people had of his power, when he was Chief Justice, I beg leave to lay before you in a letter from Mr Jamison a Lawyer of this Town, of good repute having been formerly Chief Justice of New Jersey and Attorney General of this Province, till he was displaced by Govr Burnet; his great delay of Justice in oppressing the people and suitors by giveing them a great deal of trouble and putting them to a fruitless expence both of time and money, in their attendance of the Courts; for, tho' he constantly adjourned the Courts to eight or nine in the morning, yet he was seldom sitting 'till twelve, one, or two, and sometimes [the Lawyers] are waiting from the hours adjourned to, not knowing when to expect him, and fearing to be fined if they happen not to be there, and it is with great concern I am laid under a necessity of informing you, that I can not help imputing those irregular hours in his sittings among several others to his pride in making the world waite his leisure, and his intemperate drinking in which he often spends whole nights. This was his behaviour in term time in the Town of New York, but in the Circuits it was still more intolerable, for there his hours of adjournment and sitting were not only like those in Town, but after the Justices of the Peace who by ordinance were obliged to attend him, while he was in the Counties, and other people who attend on these occasions have come to the place where the assizes were appointed to be held, many of whom come forty or fifty miles from their habitations, and sometimes even after Juries have been summoned, witnesses subpeaned, parties attended and the Justices of the peace and other Officers have gone to the place appointed for holding the Circuit Courts, as by an ordinance they are directed, and have waited there several days in expectation of the Chief Justice, who then alone was to go the Circuits, he has not come to hold the Court tho' in health and able to have done it, and I beg leave to inform you, that the damage that one County vizt that of Albany sustained by one neglect of Mr Morris's holding the Circuit Court was computed at about two hundred pounds. I should tire you, should I enter further into the particulars of his behaviour on the Circuits; two however I beg leave to mention. Once going to Albany he delayed his time so long that he had much ado to reach the nearest part of the County on the day which by the ordinance it was to be opened, but getting just within the borders, he opened the Court and adjourned it to the City of Albany the next day, whether he went, and there again opened and adjourned to the next day being the third; on that day likewise he opened it but doubting whether the first opening and adjournment was regular, he left the Bench without doing any business, and yet all this time the Magistrates of the County, Jurymen, Suitors, and witnesses were obliged to attend to their great expence and loss of time. The other was in the same County, but at another time, Mr Morris having opened the Court he adjourned it according to his custome to the next morning, but sitting up all that night and drinking hard he lay a bed all the next day till near sunsett, when the people growing more uneasy at his delays, some of his friends or his servants awaked him, he got up and Company being admitted into his Chamber, he asked what hour it was, they answered almost night; how can that be, said the Chief Justice, the sun is but just risen, and saying, so he took up his Fiddle and played the Company a tune. These two particulars I assure you I had from some of the Lawyers, who were there at the times and from several other persons of good Credit, the Country was very uneasy, but not knowing how to get redress were obliged to bear it, and in several of the Counties he has neglected to go the Circuits for many years, tho' his Salary for that very service was in 1715 augmented from 130 to 300 pounds a year; that such neglects (especially that of Albany in 1732) were very expensive and inconvenient to the Counties in General, as

well as to those, who had causes to be tryed; the Petition of M^r^ Morris's own son for adjourning the Circuit Court of Albany, will testifye, and tho' the cause for adjourning that Circuit Court ceased on my arrival here, the very day the Petition was read and the ordinance issued, yet M^r^ Morris neglected to go and hold it without acquainting me with it, or since giveing me any reason for such his neglect, tho' the clamour of the people were very loud on that occasion, besides young M^r^ Morris's petition, the certificates of the Att:Gen^l^ and of Clerks of the Supream Court, and M^r^ Garrisens affidavit, will be laid before you, whereby his great delay of Justice, his brow beating, and other ill treatment, of his Maj^ties^ Att:Gen^l^ in the execution of his duty, and the great difficulty the Sheriff of a County had to summon a Jury, from the terror the people were under of being unnecessarily and unreasonably detained by him from their habitations and business, at a vast expence, will appear very fully.

And here I beg leave to acquaint you, that M^r^ Morris was under an obligation to go the Circuits, which his predecessors were not in 1691, a salary of 130 pounds a year was established by the Gov^r^ and Council on the Chief Justice of this Province, and so continued till 1715, during which time tryalls were had at Barr, but in 1715 the Assembly (finding that as the Country grew populous, those tryalls multiplied, and that there would be frequent occasions for Courts of Oyer and terminer in the Counties) resolved to augment his Salary to £300 a year for going the Circuits, and this addition, I am informed was strongly solicited by M^r^ Morris himself, he being then Chief Justice, and a Member of that Assembly; on this foot the Salary continued till 1726. when the Assembly struck off by their resolves 50 pounds a year of the 300£; however M^r^ Burnet the then Gov^r^ drew for his salary at the rate of 300 pounds a year; in 1728, the Assembly on their then settlement of the Revenue voted but 250 pounds a year for the Chief Justices salary, and Coll: Montgomerie issued warrants for no more than the 250 pounds a year; this gave rise to some insolent papers, read and delivered in Council by M^r^ Morris's son then a Councellor, for which Gov^r^ Montgomerie suspended him, and his present Maj^tie^ was pleased to dismiss him from his seat at that Board and to appoint another in his room, yet all this did not bring M^r^ Morris to a sence of his duty, so that the Assembly in 1732 finding their former resolves ineffectual, and considering the great advantage of having the Circuits duly attended, voted 150 pounds a year to the Chief Justice for holding the Supream Court in New York four times a year, and 150 pounds a year for going the Circuits, provided he should do it yearly in the several Counties, at the appointed times; hence it appears how much they had the Circuits at heart, for the Assembly in 1726. made the poverty of the province a pretence for their taking of 50 pounds a year from his salary, and they had hopes, that so mild a treatment, would have changed his conduct, yet the resolves of 1732 shewed that they looked upon the benefit of having the Circuits duly attended, more than equivalent to his holding the Courts at the four terms in New York, for they gave the Second Judge 75 pounds a year too, for going the circuits, for which there was never any provision before.

His Majesty having been graciously pleased by warrants under his Royal sign manual, to direct and appoint, that I should have, & receive, one mojety of the Salary and perquisites of this Govern^t^ since the death of Gov^r^ Montgomerie my immediate predecessor, and which had been received by M^r^ Rip van Dam, and the said Morris as the said Rip van Dam was president of the Council of New York, and as the said Morris was President of New Jersey, I sent M^r^ van Dam a copy of the said warrant, and made a demand of half the salary and perquisites, from Coll: Montgomeries death, he having received the whole for New York, which he not complying with, a proper suit by way of English information, was commenced

against him, by his Majties Att: Genl in his Majties name, in the Equity side of the Exchequer, for discovery and payment thereof, to which bill, Mr van Dam put in a plea and demurrer, the plea consisted of several parts, and first, that the Court being established by ordinance in the time of his late Majty King George the first, and the same not having been renewed by his present Majesty, no such court now existed, secondly, that the Judges commissions were void, not having had the consent of the Council, thirdly, no Supream or other Court, within the said province had any, being Jurisdiction, or authority by prescription, neither had any act of Parliament of Great Brittain, or any Act of Assembly there been made to constitute and erect any Supream Court in the said province, nor to empower any Court or persons whatever, to hold cognizance of any pleas in a Court of equity within, or of the said province, and that the Court had no power to compel him to discover the several matters prayed by the Bill, and the Demurrer was, for, that his Majesty, had given his interest in the matter in question to me, and that I was no party to the Bill; and he also demurred to the Bill for want of Equity; which plea and demurrer being set down, and His Majtys Council having prepared themselves to speak thereto, when the same came on to be argued, the Chief Justice (without asking the opinion of the other Judges) directed the Council to argue only that part of the plea, which struck at the jurisdiction of the Court on the Equity side of the Exchequer, but which his Majties Council endeavoured to excuse themselves from alledging, that they had prepared their argument against the whole plea, and that what related to that single point, was so necessarily blended and interspersed with the others, that they could not then separate them, and that the whole plea must be taken together; but the Chief Justice overruling them herein, they were forced to argue that part of the plea only, which they were called upon to speak to by the Chief Justice, whereas the Lawyers for van Dam, were under no surprise for the arguments, which they had prepared and (according to the Custom here) wrote down, were adapted to that single point of the Courts holding pleas in Equity, and as if they & Mr Morris had wrote by inspiration, they had no sooner done reading their arguments, but as I am credibly informed to the surprise of every one present, Mr Morris without asking the other Judges their opinion (which he had always before done in all other cases, beginning with the puisne Judge first) pulled out of his pocket, and read a paper to the very same purpose, which he had before hand prepared and wrote, containing a very long argument, with his own opinion against the Jurisdiction of the Court in matters of Equity, founded on this doctrine, which to me seems a very strange one, that his Majesty has no power or authority, to erect a Court of Equity in New York, and that such a Court can only be established by Act of Parliament, or by Act of Assembly; there Judge Delancey, and Judge Phillipse took time to consider and give their opinion on the case; in a few days after Judge Delancey in a very handsome manner, and as his Majesty's Council told me with much judgement, gave his opinion that the Court had power to hold pleas in Equity; Mr Phillipse the Third Judge was not then ready to give his opinion, but on the first day of the ensuing Term, he delivered it on the same side of the question with Mr Delancey, that the Court had power to hold pleas in Equity, so that two of the three Judges concurring, their opinion was the Judgement of the Court; however; the next day the Chief Justice coming to Court (for the day before when Mr Phillipse delivered his opinion he was not there) he told those two Judges openly and publickly upon the Bench before a numerous audience, that their reasons for their opinions were mean, weak and futile (tho' he had neither seen nor heard Judge Phillipse's) that they were only his assistants, giving them to understand, that their opinions or rather Judgements were of no signification in

opposition to his, but they resented this treatment very becomingly, insisting on the force and justice of their opinions, and on their power and authority as Judges of that Court; whereupon the Chief Justice left the Bench, saying that by the grace of God, he would sit no more there when any matters of Equity came before them; it is material to inform you, that M^r^ Morris had been for many years in effect the sole Judge of this Court, for he had only one joined with him, and he a Merchant; and I am likewise very credibly assured that M^r^ Morris during all that time, pressed the most eminent of the Lawyers, to commence suits before him on the Equity side of the Exchequer, and when he was President of the Council of the Jerseys he held a Court of Equity there, tho' constituted much in the same manner with this in New York, yet in this case, he gave his opinion, there was no such Court; so that in causes between subject and subject, M^r^ Morris has been extreamly dilatory, but in the cause between the King and van Dam, he has been as hasty; in the common method of hearing causes, he always asks the youngest Judge and then the Second Judge their opinions, before he gives his own, but in this of van Dam's, he delivers his own without asking theirs at all, seemingly with an intent to byass or over awe them. Formerly he was for encouraging business to be brought before him in the Equity side of the Exchequer, but here he denyes the power of the Court in matters of Equity, it would be extreamly difficult to account for these contraries had not M^r^ Morris been President of the Council of the Jerseys, at the time of Coll: Montgomeries death, and received the whole salary & perquisites there, which put him under the like circumstances with M^r^ van Dam as to the matter of this suit, and could he have carried the plea of van Dam in this particular, it would have been making a strong precedent for himself, and (for this reason I presume) the Lawyers here are of opinion, van Dams plea was of M^r^ Morris's own adviseing. I beg leave further to acquaint you, that being informed, that M^r^ Morris in the argument he had read, had used many expressions derogatory of his Maj^ties^ Royal prerogative, I thought it my duty to send to him for a copy of it, and that he would sign it, and certifye it to be a true copy; to which he returned me for answer, that he did not know whether he should or not, that he would think of it; but instead of complying with my request he soon after printed and published his said argument, with a letter by way of introduction and conclusion to me, which he very diligently and industriously caused to be dispersed over the whole province, one of which I beg leave to inclose to you. The printing and publishing of which as it was in effect appealing to the people against the Judgement of that Court where he presided, and was in effect arraigning the Judgement of the two other Judges of the Court was, what in my apprehension might be attended with very improper consequences, and be introductive of very great inconveniencys as in truth it has, and tho' M^r^ Morris in the letter part of this libellous pamphlet, for so I humbly conceive it deserves to be stiled, very truly says, that a Judge may innocently err in opinion, yet I can hardly think that any Judge who should after the judgement of a Court was given publish in print under his hand arguments against that opinion, would be justifyed in an action of that kind; and I must submit to your consideration whether as he confined the Kings Council to speak to one part of the plea only, which is here a practice altogether unknown, and as he would not suffer them to deliver their arguments as they had prepared them, and as he before hand had wrote down his own opinion and argument which he read as soon as the Lawyers had done speaking without asking any of the other Judges their opinion, as he thereby attempted to Byass or over awe the other Judges, telling them they were only his assistants, thereby rendering their authority contemptible in the eyes of the people and insinuating that their judgements or opinions were

of no signification, and as Mr Morris was President of Jersey and as such alike circumstanced with Mr van Dam, you will judge whether Mr Morris' behaviour herein ought to be considered only as an error of Judgement; for my own part I freely own to you I thought otherwise and thinking so I could not think him fit to be continued any longer in the Station of his Majties Chief Justice; as to the letter to me it needs no observations of mine upon it, you will give it the consideration it deserves, and will only beg leave to assure you, that tho' honoured with his Majties Commission of Govr of this Province Mr Morris has never once shewed the least civility or respect to me, but on the contrary he made me wait, as I have before said, hours walking before the door of the Council room before he would deliver me the seals he was in posession of as President of New Jersey, not that I assign this as a reason for removing him, tho' it is what may be very properly communicated to you.

I hope you will likewise be pleased to take Mr Morris' printed speech into your consideration which seems to me to be calculated with an unjust view to inflame the People of the Provce against the two other Judges to undermine the very being of all Courts of Equity in this provce and to strike at what I conceive to be clear and undoubted prerogative of the Crown, and to ingratiate himself with the people of New York who have a great dislike to the Equity side of the Court of Exchequer, I therefore thought, that I could not upon such an occasion, take a more proper and necessary step in support of his Majties just prerogative in an instance too, wherein the welfare of his subjects is so necessarily interwoven as it is in this case, than to remove the author thereof from a place he held merely at the will and pleasure of the Crown. For that Mr Morris having thus publicly declared he would not hold jurisdiction of any cause or matter in Equity, it became absolutely necessary to remove him, since otherwise no Revenue causes necessary to be brought in a Court of Equity could be commenced and all matters of fraud, breach of trust and matters of accident must go unredressed.

I have already mentioned to you that Mr Morris himself formerly urged the Lawyers to commence suits in the Equity side of the Exchequer and if the subject can receive a benefit from that Court, as they certainly may, I am sure it is necessary for the King's interest there should be such a Jurisdiction exercised, that being the proper Court in which the Quit Rents of the Crown, all duties and other dues ought to be sued for and recovered; and should such a Court be discountenanced the people would persist in their neglect of paying their rents and other dues at such times as they ought, and numberless frauds be carried on to the prejudice of every branch of the Revenue of this Province; but by the assistance of this Court all such frauds will be prevented or discovered and the Quit rents and other dues of the Crown be soon brought into a more regular and certain method of payment; a thing highly necessary for His Majesties service and which I am endeavouring to accomplish.

Upon the whole I thought it my duty to support this Court, and to maintain his Majties prerogative to the utmost of my power, especially at a time when his just and reasonable authority was so avowedly opposed by our neighbours at Boston, and I perswade myself that I shall be approved in displacing Mr Morris, and consider it as a necessary step to prevent the like attempts for the future and to put a reasonable stop to persons in authority from being advocates for the Boston principles. To the foregoing reasons I will beg leave to add this further one, which I apprehend must have its weight, that it is evident from what I have already submitted to consideration and on the face of his own printed paper inclosed, that he is one from whom I must always expect the utmost opposition in my Administration here of his Majties Govern^{t} and affairs, wherein at this very time, he is using his utmost efforts in the

Assembly, of which he has [a son] a member not only in opposing those things which I recommended to them for the interest and security of the Province, but more avowedly declaiming in and out of the house against his Majesties authority to erect Courts of Equity, a popular theme often before debated and carryed to bold and presumptious resolves, but as often withstood by His Majᵗⁱᵉˢ Council of this province and discountenanced and reprehended by the Board of Trade. What lengths this Assembly will go I cant yet say, but as they have ever been fond of power, I may expect the same as in my predecessors times; hence you will perceive how little he deserves his Majesties favour which he is petitioning for, it attempts to wrest a branch of his Royal prerogative out of his hands. I could say much more of his present behaviour, but as that is posteriour to my displacing him, I cant give it as a reason for it and will not trespass further.

I shall only add that things were come to that pass, that there was a necessity I should either displace Mʳ Morris or suffer his Majᵗⁱᵉˢ authority to be affronted and trampled upon and disrespected and irreverence to it taught from the Bench to the people, by him, who by his oath and office was obliged to support it; and as this was neither consistent with my duty nor my inclination to bear I thought, his Majᵗⁱᵉˢ service required I should displace him, which I accordingly did and made the next Judge Mʳ Delancey Chief Justice in his room, and I am perswaded will be of opinion from what I have said, that I should have been blame worthy had I suffered Mʳ Morris, to have sat longer on that Bench and that you may see, I have not exercised any new or unusual power in this province, I will instance other Governours who have displaced Chief Justices for much less cause and I will go no further back then Mʳ Hunter who turned out Mʳ Mompesson from being Chief Justice of the Jerseys and made Mʳ Jamison Chief Justice in his room, afterwards Govʳ Burnett displaced Mʳ Jamison and appointed Mʳ Trent, upon Mʳ Trents death he appointed Mʳ Hooper and sometime after he displaced Mʳ Hooper and appointed Mʳ Farmer. Mʳ Delancey was the next Judge on the Bench and is a person of a very good Estate as well as of a very good Character and in every respect qualifyed to serve his Majesty in the station of Chief Justice of the Province having studied the Law from the time he left the University of Cambridge in England. I am ettc.

W Cosby.

Mayor Holland to Secretary Clarke.

[New-York Papers, Bundle Ee., No. 86.]

Honʳᵈ Sir,

Your favour of the 10ᵗʰ inst: is now before me, under cover of which I received the copy of the deed of trust which the Mohawck Sachims executed to His Excellᶜʸ. You desire I may let you know my sentiments about it; as Your Honʳ is a much better Judge of deeds, than I can ever pretend to, shall only beg leave to tell you that I find they (the Sachims) have granted their lands to His Majesty, and as I am fully perswaded that his Excellency had no other view in obtaining that deed, but to secure unto His Majesty, interest, the fidelity of the Six Nations, so cannot but think that their lands are now much securer than ever before, for

to my certain knowledge those Gentlemen who had the deed, which the Indians destroyed when His Excell^{cy} was at Albany had deceived them (the Sachims) in what they had faithfully promised (upon delivery of the deed) to perform, which those Gentlemen if stricktly examined will confess, for they, have often done to me.

I should have been glad, had it been in my power to have sent you a copy of the deed, that was destroyed here, but I do assure you that I have done my utmost to find out whether there was any such copy, but cannot hear of any, the only one which there was of it, M^{r} Wendall who had it, has declared to me that he can not find it, and that he is certain it must have been burnt when his house was burned down, otherwise I am sure, money could have got it from him.

I beg the favour of you to make my humble duty acceptable to his Excellency and tell him that I am his, as well as Honrd Sir

Your most faithful and obedient
humble servant.

Albany 21st May, 1734. Edw^{d} Holland.

Deed conveying the Mohawk Flatts to the King.

[New-York Papers, Bundle Ee., No. 36.]

Know all Men by these presents that we Jacomin, Asarus, Gidion, Cornelius, Sett, Whisaw, Asaras, Arras, Sandras, Petrus, Aria, Johanus and Johapus, in behalf of the rest of our Nation. Of the several Tribes of the Turtle, bear and wolf the Native born Indians of the Mohock Nation in the County of Albany and province of New York in America being deeply sensible of the many benefits & gracious bounties we from time to time have received and do now enjoy under the Royal favour and protection of his present most Sacred Majesty King George the Second, have willingly and freely given, granted aliened and enfeoffed, released and confirmed, and by these presents do, give, grant alien and enfeoffe, release and confirm unto his said Majesty King George the Second his heirs successors and assigns all that certain tract or parcell of low or meadow land commonly called the Mohocks flatts scituate lying and being near Fort Hunter on the south side of the Mohock's River on both sides a Creek called Tiononderoga Creek, and containing by estimation twelve hundred acres more or less together with two thousand acres of Wood or uplands lying at the back and extending the whole length of the said low or meadow lands and all our Estate, Right title, Interest, property claim and demand thereunto, to have and to hold all and singular the said meadow and woodlands with all and singular their appurtenances and premises hereby granted or intended to be granted unto his said Majesty King George the Second his heirs and successors, provided nevertheless and it is the true intent & meaning of these presents and upon the special trust and confidence that we repose in his said Maj^{ty} under the Great Seal of Great Brittain or under his seal of this Province shall not any time after the date hereof grant or cause to be granted to any Body publick person or persons whatsoever the above mentioned tract of Meadow, woodlands and premises or any part thereof except it be by the free and voluntary consent and further

confirmation of us whose names are hereunto subscribed or the majority of us, or by the free voluntary consent and confirmation of the majority of the survivors of us or of our heirs or representatives under our hands and seals first had and obtained in writing & further that we hereby covenant and promise to and with his said Majesty his heirs and successors for ourselves and our heirs on the consideration aforesaid that we nor our heirs shall not or will not at any time hereafter from the date of these presents convey or alien the abovementioned premises or any part thereof unto any body politick person or persons whatsoever except it be by such consent or confirmation in writing unto his said Majesty or his lawful representative as aforesaid In Witness whereof we have hereunto set our hands and seals this fourth day of November in the seventh year of the Reign of our said Soveraign Lord George the Second by the Grace of God of Great Brittain France and Ireland King Defender of the faith ettcAnno Dñi 1733.

Sealed and delivered in the presence of Walter Butler, William Printop Junr

Jacomin,	Asarus,	Gidion,	Cornelius
Sett,	Whisaw,	Asarus,	Erras
Sander,	Petrus,	Aria,	Johanus
Johanus.			

Note.—By the charter granted by Gov. Dongan to Albany in 1686, that city obtained the right to purchase one thousand acres of land from the Indians at what is now Fort Hunter, and a committee was shortly after sent to view the lands. On the 12th October, 1730, the city took from the Mohawk Indians of the Lower Castle, a deed to hold the lands in trust for them so long as they should be settled thereon, with remainder to the city. This deed continued in possession of Mr. John Depeyster, the Mayor, until 12 September, 1733, when it was delivered to Governor Cosby, who destroyed it, and on the 4th of November, following, obtained the above deed from the Indians, conveying said lands to the King in trust for them. The Mohawks, notwithstanding, continued uneasy, and to quieten them, the city of Albany signed an instrument on the 18th December, 1773, surrendering to the Indians residing in the Lower Mohawk Castle, all right and title to the said thousand acres of land, (with the exception of a few parcels that private individuals had previously purchased from the Indians and held under the Corporation,) "so long as they shall continue a Nation and be settled on said lands." In 1788, a number of the Mohawks residing at Canajoharie, petitioned the Legislature to be reinstated in their lands at Fort Hunter and elsewhere; and by two instruments, dated respectively the fifteenth of April, 1789, and 16th June, 1790, the city bought out all the claims of the surviving Indians to the lands in question, as appears by the various instruments on file in the office of the City clerk. The lands were divided into farms at first and leased by the corporation, but all these farms have since been sold except one, which is still under lease. — Ed.

Lords of Trade to Governor Cosby.

[New-York Entries, B. L. p. 314.]

Coll: William Cosby Govr of New York & New Jersey.

Sir.

We have received your letters of the 29th of Aug: and 15h of Decr 1733. and one of the 19th of June 1734, relating to the affairs of the Province of New York; as also your letter of the 17th of June 1734. relating to the affairs of New Jersey, with the several Acts and other publick papers you mention to be enclosed.

We have sent the several Acts of New York and New Jersey to Mr Fane, one of His Majesty's Council at Law, for his opinion thereupon, and so soon as we shall have received back the same, we will take these Acts into consideration.

Upon this subject we must remind you of the 21st Art: of your Instructions directing you, to be as particular as may be, in your observations, to be sent to this Board upon every Act passed by you, and likewise to send you[r] reasons for passing the same, unless they appear in the preamble of the said Act; and we expect, that for the future you will send over, with every Act by you to be passed not only, the general purport thereof, but your motives for giving your Assent thereto.

In the Act N° 10 entituled: "An act for confirming unto the City of New York its Rights and Priviledges," mention is made of the Charter granted by Colonel Montgomerie to the City of New York, without a copy of which we cannot judge thereof, therefore desire, you will transmit to us a copy of the said Charter, as soon as possible.

We have read what you write in answer to several complaints made against you by Mr Morris and Mr Van Dam, but that being a matter, now before the Lords of the Council, we forbear making any remarks thereon, except that by the Indian deed for vesting in His Majesty the Land at Albany, which that corporation claimed by virtue of a Charter from Colonel Dongan; that land is computed at about 1200 Acres, whereas, as this affair has been represented to us by an unknown hand, that land is computed at 30000 Acres; We therefore desire, to be more particularly informed by you of the true state of this affair.

In your letter of the 17th of June last, you say there are three vacancies in the Council of New Jersey, and you recommend three Gentlemen to supply them, but as you have not informed us whose those Councillors are, that make the said vacancys, we cannot propose them to be filled up, till we hear again from you.

So we bid you heartily farewell, and are your very loving friends and humble servants.

Whitehall. P. Doeminique. M. Bladen.
Aug: the 22nd 1734. T. Pelham. Ar: Croft.

Attorney-General Bradley[1] to the Lords of Trade.

[New York Papers, Ff. No. 51.]

New York in America
23rd Novr 1734

May it please your Lordships

I thought it my duty to lay before your Lordships the inclosed Copy of a Bill that is now depending in the house of Representatives, tho I can scarce think the Governor and Council will pass it

My Lords! tho' this Bill is entitled an Act for the regulating Costs upon Prosecutions by information yet your Lordships may perceive it is a Bill of the like Nature and tendency, with

[1] Richard Bradley was appointed Attorney-General of New-York, vice Rayner, 11th of March, 172⅔. *Book of Commissions*, III., 234. He fell early under the censure of the House of Assembly, and was in the habit of filing "informations" on his own motion, "with a view rather to squeeze money" from those he prosecuted "than from any just cause." *Assembly Journals*, I., 501, 600. But being supported by the authorities both in England and New-York, he continued in office until his death, which occurred on the 28th of August, 1752. *Smith's New-York*, ed. 1829. II., 140. *Note.* — Ed.

that Act which passed here in the year 1727, for preventing Prosecutions by informations, which Act your Lordships were pleased to represent as proper to be repealed by his Majesty on the 6th day of November 1728.

My Lords! There are three things charged in the Preamble of this Bill which are notoriously false

1 That people altogether Innocent have been prosecuted by Informations.

2 That they have been fairly acquitted on Tryal and

3rd It is suggested that divers persons have been oppressed injured and impoverished by such prosecutions

My Lords! I humbly and faithfully assure your Lordships, that no one has in any time been prosecuted here by Information, But by order either of the Government, or the Courts; or else upon complaints made to me by the parties injured, and their producing sufficient evidence of the Truth of such complaints, before filing the informations. And tho' its true several persons have been acquitted on Tryal yet it is as true that whenever any have been acquitted or any such Prosecution, it has been very unfairly (to wit) against evidence

My Lords: It is but too manifest that juries here very rarely find for the King tho' the charge be never so well supported by evidence, and I faithfully assure your Lordships no one has been either oppressed impoverished, or injured, by any such Prosecution which I am the more certain of, because no other person, but myself has (in my time) commenced or carryed on any Prosecution here by Information

Your Lordships will no doubt observe how unprecedented and contrary to Law, it would be that His Matys Attorney should be obliged to pay costs & especially where the Prosecution is only at the suit of the King as every one of the Informations filed in my time have been; not one Information *Qui Tam*, having in all my time been filed here by me; or any other person; which I humbly hope your Lordships will be inclined to beleive from the late Governor and Councils Recommendation of me in their memorial to your Lordships in April 1729 whereupon your Lordships were pleased to recommend me to His Maty for my Salary & arrears, which I most humbly thank your Lordships, had its desired effect

My Lords, with humble submission, The Assembly would be more just to me would they instead of misrepresentg me, pay me the nine hundred pounds and upwards thats due to me from this Province for prosecuting a great number of offenders by order of the Courts and Government, as may appear by my memorial to the late Governor and Council in Novr 1728, and their said memorial to your Lordships; For tho since that time, I have with great difficulty obtain'd 150ld, and 60ld from the Assembly; Yet my fees that have been due since November 1728 for such like Prosecutions amount to considerably more than what they have paid me, or, I fear ever will do

My Lords: The intent of Assemblys by such Bills as these is as I humbly apprehend, to screen themselves and their friends from Prosecutions of any kind as they have influence enough over Grand Juries to prevent Presentments by them

The many artifices of the Assembly to bring the officers of the Crown to be dependant on Assemblys. Their making Laws of a short duration; like this, that they may have their effect before your Lops can have notice of them & then drawing them into Precedent, for after Laws of the like Nature. And their insisting frequently on some pernicious Bill to his Majesties Prerogative, or Interest, to be passed at the same time they pass a money Bill; seem in my humble opinion to shew a strong Inclination in them to be independant of Great Britain, As I

have more fully shewn to your Lordships in the Case, and Representation which I caused to be laid before your Lordships in Novr 1729. All which is humbly submitted by, may it please your Lops yr mo humble St.

(Signed) R Bradley

Governor Cosby to the Lords of Trade.

[New-York Bundle Ee., No. 58/59.]

My Lords

The letter which Mr Popple wrote me by your Lordships order on the 30 of May last I layd before the Assembly in Expectation they wo'd have made a proper Answer to it, But they were so intent upon Fortifying their Collony and to find meanes for it, that the season wo'd not admit to keep them longer together after those matters were finished, which indeed co'd have been done sooner, if a few Members had not thwarted and delayed so usefull a work.

That however a return to that letter may not be wanting I shall lay before your Lordships the best accounts upon that subject which I have been able to discover or procure since I had the honor to be Govr here.

Wheat is the staple of this Province, and tho' that cômodity seem literally to interfere with the product of Great Britain, It do's not so in fact, for its generally manufactur'd into flower and bread, and sent to supply the sugar Collonys, And whenever a Markett in Spain Portugal or other parts of Europe has encouraged the sending it thither in Grain, the Adventurers have often suffered hy the undertaking, for at this remote distance, the intelligence of a demand reaches us so late, that the marketts are supplyed before our Vessells come there, and even if it were otherwise our Merchants lye under vast and certain disadvantages besides for freight of Wheat from hence in time of warr was at least two shillings and six pence, and in time of peace is eighten pence Sterling per bushell and by the length of the passage it often grows musty at least cannot come so fresh to Markett as from Great Britain; whence freights (as its said) are not above one quarter part of what they are at here.

The main bent of our farmers is to raise wheat, and they are like to remain in that way untill the price of it becomes so low, that necessity puts them upon some other way of cultivation; which in process of time is like to happen, because the sugar Islands cannot increase in the proportion which the Northern Collonys do, and whether some other encouragement may bring them over sooner I cannot affirm

In this Collony are agreat many lands extream fit for hemp, and there is not one farm in it but has land proper to raise flax; but little more of either is raissed than what is for private use, the former they apprehend to require more hands than they have to spare, And labour is still so dear that they cannot afford to hire people for that purpose; Nor do they (as I believe) well understand how to rot and dress it.

Tarr Pitch and Turpentine may be got here, but more plentifully in some of the other Northern Collonys, in greater quantitys than can be made use of by the Navy or Nation of great Britain, if the price at home will encourage it, which I am informed It has not done for several years past, Notwithstanding the bounty allow'd on the importation

I am told your Lordships formerly sent hither the method uses in Russia for making of Tar and that upon tryal thereof it was found not to answer here, which is attributed more to the difference of the nature of their pitch pine and that of this Country, than to the unskilfulness of our people

In the Jerseys is one extraordinary rich mine and some others are discovered there which afford a good prospect but in this Province none have has yet been discovered, thó a good deal of money has been expended in search of them

Some lead mines have been found in severall parts of this Collony but they have hitherto not by farr quitted the cost expended on them, And if they happen to prove good, I beleive the proprietor will rather send it home in Oar than be at the charge to erect Smelt houses here

We have a great many Iron Mines both of the bogg, and of the Mountain Oar but as yet no Iron work is set up in this Province if an encouragement was given upon the importing of it in Piggs and Bars, at least that it might be free of dutys, It is very probable that in a few years the Nation might be amply supplyed from her own Plantations And its evident that the whole amount thereof wo'd be paid in the manufactures of Great Britain, who now pays ready money (as I am informed) for greatest part of the Iron It has from Sweeden

I am informed that when the Dutch were in possession of this Collony they sett up a Pottash work at vast expence but found it wo'd not answer, about twenty five years agoe it was attempted here again at the expence of a Gentleman in London but dropt for the same reason, And a like essay is lately set on foot in Jersey; which its feared will be attended with the same fate.

Upon the whole I beg leave to offer it as my opinion, that whatever Great Britain can be supplyed with from her own plantations, must tend to the benefitt of the nation in generall, because the same is paid for [in] her own Manufactures, and her own Navigation employed in the transportation thereof All which is nevertheless humbly submitted to your Lordships

I am
My Lords
with the greatest respects imag^{ble}
Your Lordships
Most obedient and
Most humble Servant
W. Cosby

New York
December 6. 1734
To the Lords of Trade

Endorsed Rec^{d} Jan^{y} y^{e} 22. 173$\frac{4}{5}$.
Read June 26. 1735.

Governor Cosby to the Lords of Trade.

[New-York Bundle Ee., No. 59.]

My Lords

I have very long declined laying before your Lordships the beheavour of a certain Member of his Majesty's Council here, while I had the least hopes of his return to his duty, upon this

prospect I have been born with many inconveniences his dangerous conduct still growing upon my patience til his Majestys Service and the safety of this Province demanded that I shou'd explain this man to your Hon^ble^ Board.

M^r^ James Alexander is the person whome I have too much ocation to mention, at my first arrival I found that the late President Van Dam had employ'd him in the payment of the forces, and for that reason I show'd him all the Civility in my power, but no sooner did Van Dam and the late cheif Justice Morris (the later especially) begin to treat my Administration with rudeness and ill manners, then I found Alexander to be at the head of as scheme to give all imaginable uneasiness to the Govern^t^ by infuseing into and making the worst impressions on the minds of the people, A Press supported by him and his party began to sworm with the most virulent libels, Scurrilous and abusive pamphlets publish'd against the Ministry, and other persons of Great honnour and quality in England were reviv'd and reprinted here, with such alterations as served to incense and enrage the people against the Governour, the Council, the Assembly and all Magistrates in general, no man in his Majesty's Service tho' many had been ten and twenty years, in the same employments was spar'd, all were equaly made the objects of rage and fury with a deluded and unreasonable mob, and that some of them were not made a Sacrifice to this fitt of madness, is matter of wonder to themselves as well as to many others, some of these peapers giving very plain hints, also that the Governour was in no greater Safety then his friends

Cabals were form'd against the Government and a meeting of their factious men is still held several nights in the week at a private lodging which I have discover'd Alexander always p^r^sent and Morris, till he lately fled privately for England, in great fear as tis publickly reported least the printer of their Seditious libel should discover him, for these reasons it is, that I have not lately requir'd Alexanders presence in Council.

One particular and remarkable instance of the most abominable and detestable villany that ever was committed, I shall barely mention referring your Lordships to a report of a full Committe of the Council of this Province which I send enclos'd, the person whose life, Caracter and fortune were struck at, is M^r^ Harison one of the eldest Members of that Board, y^r^ Lordships will see where the Intrument intended to destroy him was dropp'd, how found & by whose vilanous blank affidavit (a common practice with Alexander and Morris) the same was imputed and charged to him at that Critical Juncture, when the passions of the people who were to be his tryers, were rais'd to the highest pitch against all who avowedly declar'd their resolution, to stand or fall in a steady active opposition to the enemies of the Government M^r^ Harison has for twenty six years past, been employ'd in very considerable trusts, by the Gov^t^, tho' with little profit to himself his steady adherence to the present Establishment, his known and long experienc'd fidelity, to Lord Lovelace, M^r^ Hunter and his successors here recommended him to me, while Alexander, Morris and the disaffected party were thereby become his mortal enimies, and thus resolved to make him the first offering to a licentious Mob, who have very much injur'd him in his circumstances, thô I with mine and the fav^rs^ of his friends in England have us'd all power and just means to support him under the highest injustice, and most cruel oppression, and I confess it is with pleasure I see him again gathering Spirit and ability to exert himself against the enemies of the Government.

My Lord at this distance from England I am not able to trace the facts, but I am assured that this Alexander[1] (some years since a teacher of navigation on board one of his Majesty's Shipps)

[1] An account of this gentleman will be found in V., 982. — Ed.

was turn'd away and dismissed from the Service for disaffection to the protestant Succession, and refuseing the Oath's to the Governm^{t}, some of his intimates on board having discover'd him to his Commander, and now while I am writeing, after the Council had order'd certain Seditious libels, tending to open rebellion, to be burnt by the hands of the common Hangman, that the printer of them be committed to the Common Goal, and prosecuted by the Atturny Gen^{ll} and a proclamation issued by their unanimous advice (a Grand Jury who having presented the same libels) with a reward of fifty pounds for the discovery of the Author of them, this man James Alexander has apear'd as the printers Council and Attorney for several successive days before the Chief Justice James De-Lancy Esq:, attended by William Smith Att^{r} at Law, another declar'd incendiary, and one Jansen and Alderman chosen as their audacious libels set forth in oposition to, and in a different interest from that of the Government, for these reasons I intreat your Lôrdsps to intercede with his Majesty that a Member of Council, whose beheavour has declar'd him to be in an intrest opposite to that of the Crown, who is dayly inciteing the unthinking people, to sedition, riot and insurrection by blackening and asperseing his fellow Members of that board, and all others whose loyalty and integrety have recommended them to my predecessors and myself, may be removed from a seat to which he is the greatest disgrace and dishonnour, and I hope y^{r} Lordships will be so good to move his Majesty in ord^{r} that a Commission be granted for John Moor to succeed James Alexander as Counciller in the Province of New York; as I have in another letter given you a Caracter of M^{r} Moor, I will not here trouble your Lordships with a repetition of it.

My Lords the removal of Lewis Morris late chief Justice of this Province has already been of consequence to his Majesty's affairs here, his successor James De Lancy Esq: having upon some very important occations exerted himself with so great prudence, steadiness and resolution as has in great measure allay'd the heats of the Common people, and defated the factious designs of his predeceser, enrag'd at this worthy Gentlemans conduct and success, and almost distracted with the disapointment Morris is privately embark'd for England laden with complaints, false affidavits, and certificates of his beheavour, some (as is said) forged and all glean'd from the meanest labourers, tradesmen and Artificers neither he nor his confederates having with all their wicked Arts, been able to seduce any men of honour, credit or reputation, except a very few whose principals and inclinations wanted no incitement to create disorder and confusion, upon the weak hopes they had entertain'd and which they have often spoke out, that a New Parliament would introduce a New Ministry, and that something more would follow, which I shall unwillingly name to your Lordships, unless I see a continuance of their misbeheavour, which I do not expect now the principle incendary has left them to the support of Alexander whose credit is growing very low.

My Lords I had scarce set foot in New Jersey when M^{r} Morris declar'd he wou'd never appear in Council while I remain'd Govern^{r} he had been President there after the death of Coll Mountgomerie, and had acted with a very high hand, and in the most arbitrary manner he had turn'd several good and loyal old Servant and officers in the County out of employments without the consent of his Majesty's Council, and in open contempt of the royal orders and instructions, to make room for sons inlaw and other relations, he sat and acted as Chancellor, and made a decree without regular notice given, or hearing of the party's, while in that and this Province, ever since I came hither, he has been loudly declaiming against all Governors who have hitherto sat as Chancellours and assureing the Country that no decrees of that Court or any other Court of equity here are binding on the subject, and that his Majesty has no right

to establish any such Court here, your Lordships well knowes the consequence of these doctrines, and to the leasure of your Hon^ble^ Board I must resign then them and the Authors of them, amongst whome I must reckon Van Dam or at least as a publisher who frequently prostitutes his name to the same purposes, thô his capacity will not admit that I should believe him to be writer of even their mean performances, your Lordships have already been pleased to enquire into his conduct, which as I doubt not will merit your displeasure in such manner as to have him in no farther power or authority here, therefore I beg leave to recommend Paul Richards to be put in his room as Counciller, whos caracter I have already sett fourth in another letter if I were not assured that the change will be very much for his Majestys Service and to the publick satisfaction, I trouble your Lordships no farther on that head

My Lords I have had thoughts of sending your Lordships the detale of perticulers in M^r^ Morris's beheavour but I sett a more Just value upon your Lordships time, and if anything of that kind should attend you, it shall be in a separate paper, one thing I belive he will complain of, that I have not Summon'd him to Council of late in New Jersey, My Lords his residence is always in this Government, and whenever the Assembly meets in New Jersey, the method is to issue out a proclimation requireing the attendance of the Council likewise, who stay with me upon the spot dureing the whole Session, it being impracticable as they live very remote from each other, as well as from the place, where the Assemblys are by law alternately to set, to call them together upon the necessary emergency (their distances from each other, as well as from those places being so great) if they were to separate at pleasure as the Council of New York does, the Majority of whome reside in this City, and to these proclimations neither Morris nor Alexander who is of the Council there as well as here, have ever pay'd the least regard since the seventh of August 1732 which was seven days after my arrival.

My Lords the just value I have for the Provinces which I have the honnour to govern, the earnest desire I have to see their Inhabitants enjoy in peace and quiet the blessings of his Majesty's mild and Glorious Administration and those great liberty's and priviledges which they held by his Royal bounty, will always incline me to do for them while I am among them, and to wish them well when ever I am to leave them, No greater Service can I doe them at present then to use all my credit with your Lordships, that you would be pleased to move his Majesty in order that a Commission be granted to Robert Lettice Hooper Chief Justice of the Jersey's to succeed Lewis Morris as one of his Majestys Council in the Jerseys a person who truly affectionate to his Maj^tys^ royal house and in very great esteem and reputation in his country, My Lords I must not omit to inform your Lordships that a mislead populace in this City had in September last elected their annual Majistrates and chosen their Aldermen and Common Councel, out of such as were followers of the leaders above named, they very soon, though to late, began to reflect upon their own folly and madness in throwing out of office several Gentlemen of the best fortunes and greatest influence here, who were their own constant employers and Cheif support, publickly wishing that they could recall those weak papers which Morris and Alexander have prevailed upon them to sign, without aprehending their design or intention of them

My Lords if you are pleased to assist these my requests I solemly assure your Lordships that you will lay the highest obligations upon many thousands of his Majestys best and most

loyal subjects in both Provinces, that you will secure the fidelity of all, and at the same time, do a thing for which I and my successers shall ever be obliged to your Lordships

I am My Lords, with the greatest
New York respect imaginable, Yr Lordships
Dec: the 6. 1734 Most obedt humble Servt
Lords of Trade &c W. Cosby

Endd: Recd Jan: the 22. 1734/5.
Read Augst the 14. 1735.

Governor Cosby to the Lords of Trade.

[New-York Bundle Ee., No. 63.]

My Lords

I had the Honr of your Lordships letter of the 22 of August last, as to what relates in Generall to the affaires of New York and New Jersey,

I shall for the futer, send over with every act of Assembly the Generall purport of it, as also my reasons for given my assent to them, I shall likewise obey your Lordships Commands as to the 21 Article of my instructions by Given reasons except, they appeare in the Peramble of the said Acts In my letter which I did myself the honour to write to your Lordships of the 17 of June last, I recommend three Gentlemen to witt, Côlls Thomas Farmer, Docter John Rodman and Mr Richard Smith; I begg pardon My Lords It was a mistake the three persons deceased ware not named, whom they ware to be succeded by, it should have been thus, Côll Farmer to succeed John Johnson who first died, Mr Rodman in the room of John Parker and Mr Smith in the room of James Smith Since these I took the liberty to recômend John Schuyler in the room of Côll Peter Baird deceased, I must beg leave to observe to your Lordships that I recômended Côll Provoost who succeded Mr Hogg who dyed in Côll: Montgomerris time, In one of my letters which goe with this to your Lordships I have given reasons for the removal of Lewis Morris from the Council which I hope your Lordships will approve of; I would then begg you would move his Majesty that Robert Lettice Hooper Chief Justice of the Province[1] may be appointed Councillor to succeed Lewis Morris

According to your Lordships directions I herewith send a Copy of the Charter granted by Côll Montgomerie to the City of New-York.

I hope your Lordships will be so good for the many reasons I have given for the removeing Rip Van Dam and James Alexander from the Councill of this Province, that you will be pleased to move his Majesty that Paul Richard and John Moore may be Councillors in their room, being two Gentlemen who are greatly beloved and esteemed for their worthy Caractors and

[1] Robert Lettice Hooper was originally appointed Chief Justice of New Jersey in 1725, on the death of Mr. Trent. *Supra*, V., 795. After having filled that office for about three years, he was succeeded by Thomas Farmer, who officiated as Chief Justice until Nov., 1729, when Mr. Hooper was again appointed to his former position, *Field's Prov. Courts in New Jersey*, 126, 128, and continued to act as Chief Justice until his death which occurred in March 1739, when he was succeeded by Robert Hunter Morris. *Papers of Lewis Morris*, 38. — Ed.

ability's they also having great possesions in land as well as very great share in carrying on the trade of this Province, I could not recòmend two fitter to serve his Majesty in his Councill my Lords.

The Assembly broke up but the 29 of last month which has made it impracticable to have the Acts engrossed and prepared for the Seale, and to have Copy's made for the printer, so as to transmitt printed Copy's to your Lordsps which shall be done by the first ship that goes after these As to the lands vested in the Crown in trust for the Mohoks Nation your Lordships desires to be inform'd, as to the truth of the quantity and that you were informed by an unknown hand, that it was thirty thousand Acars, instead of twelve hundred, your Lordships must know, that they have two ways of discribing their Lands, the one they distinguesh by the Genll name of Land, that is, what they call land, is flatts or meadow ground, where wood nor brush was never known to grow, this puts me in mind of a tryall that happen'd at the Supream Court In this Province in relation to boundrys of lands which is agreeable to the distinction they make, one of the witnesses being examined upon oath as to the Premisses in question gave his evidence that he had walked several Miles over it but did not see one foot of Land

Now my Lords as to the lands you desire to be informd of, is certainely that tract of land, that the Mohoks nation has put under the protection of the crown in trust for them they are called the Mohock flatt, where we have a Gerreson, and are generally computed at about twelve hundred acars, tho most people that have seen it, say, it is not quite so much by verry near all the lands quil round it, to God knows where the Mohoks claime, and there are many and many thirty thousand Acars but not an acar as I could ever learne of flatts or clear Meadow land, being every foot (except this twelve hundred acars) all the country besides being all wood lands, and most of them for some miles each side the Mohoks river already granted long since, So that those that sent your Lordships information in an unknown hand designed only an impossition upon you, being ashamed to put their names to it, knowing the assertion to be falls.

Now my Lords since I am upon this I cannot help mentioning one more vile action amongst the manny committed by Mr Morris Alexander and their adherants; some months since I had the honour to transmitt to your Lordships the proceedings relateing to the Mohocks flatts, which I thought myself in duty bound to doe, to secure them from going over to the French intrest at that very time they were vilifying me, and falsly acusing me here, as well as at home, I say at the very time, did this same Mr Morris, Mr Alexander and one Smith, a Lawer one of their Gang goe to one Mr Boyle a Scotch Gentln here who they imagined had great intrest at home and gave him there opinion, which was, that the Albany people had no right to them flatts, that Còll Dongans grant was not good, therefore desired he would write to his friends in England in order to obtain a grant of the said lands, and for their opinion they were to come in for a share of them, this I do assure your Lordships is true from the mouth of Boyle who told it, to Mr Lindsy Shirff of Albany County, who is a very honest man, Mr Lindsy[1] came to me an hour after he had been with Boyle the said Boyle making no secret of itt, Mr Lindsy farther said that Mr Boyle had showne him coppy's, of the letters he had wrote to his friends in order to obtaine the grant, so that your Lordsps sees the absurdyty of these people and how capable they are of doeing every thing that is bad.

[1] John Lindsay was appointed Naval Officer of New-York in 1730, vice Alexander. He was appointed Sheriff of Albany in 1732, and held the office until 1739. — Ed.

My Lords it is just now come into my head, that it is not unlikely but that Mr Morris, who is gone over may say, that there was sent a Sergant with a file of men to stop him, so farr from it that I do assure you my Lords, if he had sent to me for a pass to goe for England, I would have readily have granted to him your Lordships well knows that desersion is very common where there are Soldiers and very often they desert and get on board Sloops and ships that goe from hence, a Captn mist a man, and found that he had deserted and had intellegence, that he went to the Hook on the Jersey side in order to gett on board Captn Payton, the Captn himself saying two or three days before there had been a man bargaining with him for his passage upon which the Captn sent down a Sergant with a file of men in order to take him in case he should attempt to goe on board at the Hook this my Lords is the truth of the whole matter

I am my Lords
With the greatest respect
Imageinable
Your Lordships most obedt
and most humble Servant
W. Cosby

New York
the 7 Decr 1734
To the Lord of Trade

Endd Recd Janry the 22. 1734/5
Read Augt 14. 1735.

Governor Cosby to the Duke of Newcastle.

[New-York, B. P. O. VIII., 168.]

New York Decr ye 10th 1734.

My Lord,

As the letter which His Majesty's Council did themselves the honour to write to your Grace with their answers to Mr Van Dam's articles of complaint against me has been made public in a most scandalous pamphlet[1] dispersed about this Province containing a very rude reply to those answers and reflections both on my self and them, and as those Gentlemen that were present at the drawing up of those answers may possibly seem chargeable with a breach of trust and disrespect to your Grace in divulging what ought to be kept secret, till your Grace's pleasure was known, they have in Council entreated me to represent to your Grace, in what manner their letter became expos'd, in order to vindicate them from the imputation of an offence, which they beg leave to assure your Grace in regard to ye honour of the trust repos'd in them, and their respect to your Grace they detest and abhor.

[1] It is entitled: — "Heads of Articles of Complaint by Rip Van Dam Esq. against his Excellency William Cosby Esq. Governor of New York &c. To which is prefixed, Mr. Van Dam's letter sent to His Excellency with a copy of those Articles. As also A Letter from some of the Gentlemen of the Council of New York, to his Grace the Duke of Newcastle, one of His Majesty's principal Secretaries of State, in Answer to the several Articles of Complaint. And a Reply to those Answers of the Gentlemen of the Council. *Sub Judice Lis est.* Boston: Printed in the year 1734." Folio pp. 28. It is in the State Library, Albany. — Ed.

To doe justice therefore to these Gentlemen I must beg leave to acquaint you that Mr Colden the Surveyor Genl of ye Crown lands and a member of the Council, not being in town at the time when the letter was drawn up, prevail'd afterwards on one of the Clerks of the Secretary's Office to let him have a copy of it, which he communicated to the late Cheif Justice Morris for the use which has been made of it.

I will further trouble your Grace with this observation on the General behaviour of Mr Colden, that it is inconsistent with, and unworthy of the Character of a Councilor. he has so little regard to ye trust and confidence of his office and so closely link'd with ye opposers of the Goverment, that he is not asham'd of being made their spy, upon all the proceedings and all the transactions of the Council. This my Lord, is so true that I doe asure your Grace their most secret consultations and resolutions are no longer so than while they continue sitting, My Lord I am determined never to give your Grace any trouble in Coplaineing of these Infamous fellows, I shall rather bear their insults, neither would I at this time, if I could have avoided the importunity of the Council to send your Grace this.

I am My Lord

Your Grace's most oblidged
& faithfull servant
(signed) W. Cosby.

I beg my humble duty to ye Duches & Miss Spence.

Governor Cosby to the Lords of Trade.

[New-York Bundle Ee. No. 66.]

New York June 10. 1735

My Lords

With this I do myself the honour to transmitt to your Lordships the acts of Assembly pass'd at New York the last year whereon on I shall make such remarks as will let your Lordships into the reasons for the Council and Assembly passing them and for my giving my assent to them, and that I may avoid repetition as much as possible, I will consider all those together that have any conection or dependance on each other

N° 1. An Act to lay a duty of Tonage on the vessels and for the time therein mentioned.

7. An Act for fortifying the City of Albany and Schonentady and other places in the County of Albany.

11 An Act to lay a duty on the goods and tax on the Slaves therein mentioned during the time and for the uses mentioned in the same.

12 An Act to prolong the duty of Tonage laid by an Act entituled an Act to lay a duty of Tonage on the vessells and for the time therein mentioned.

13 An Act to strike and make currant Bills of Credit to the value of twelve thousand pounds on the funds and for the uses therein mentioned

14 An Act to appoint and impower Commissioners for erecting fortifications in this Colony at the several places therein mention'd

All these principally relate to one and the same thing viz^{t} the putting the Province in a posture of defence, your Lordships very well know that this Province is a Barrier to the Southern ones against Canada and as such ought at all times to be well fortified for their defence as well as our own, wherein the Crown has thought it reasonable that they should be at some part of the expence however as those Gracious intentions have not hitherto had the intended effect, the people of this Province have chose rather to perswade themselves into an opinion of their Security from their own poverty and the weakness of their neighbours of Canada then at their own expence to make proper fortifications for their defence, but as the posture of affairs in Europe appeared to us at this distance to threaten a rupture with France I laid hold of the peoples apprehensions to engage them to build these fortifications both on our frontiers towards Canada, and in the town of New York which lay exposed to the insults of a few ships there being nothing to hinder them from entring the Harbour and takeing and distroying our Vessells and burning the town; I flatter myself my Lords that his Majesty upon your Lordships representation will be graciously pleased to think favourably of what I have done, for I am confident there is no way so effectual to recommend me to his Grace & favour as this which is entirely agreable to his paternal tenderness and care of his Subjects, this work so highly necessary yet met with many rubs, the poverty of this Country was strongly urged and the difficuty of finding such funds as were likely to go down with a Majority of the house and would answer the end too, was not easily got over nor was I without some strugle with myself brought to submit to the strikeing of paper money however as I conceived the work to be of the highest importance to his Majesty in the preservation and defence of his Provinces and as there was no possibility of raising the money in a shorter time than is given to the bills of Creddit, as the sum to be struck is but small that if in the mean time a rupture with France should ensue, this and the neighbouring Provinces would lye open to the attacks of the enemy I prevailed with myself to give my assent to those bills hopeing for his Maj^{ties} pardon on your Lordships representation, which I the more confidently ask as I do with the utmost truth assure you that I have in this whole affaire thrown by all considerations of my private interest; upon a thorough deliberation therefore I presume to hope your Lordships will recommend these Acts to his Majesty for his Royal aprobation

N^{o} 2 An Act for granting to the people called Quakers residing within this Colony the same Priveledges benifitts and indulgencies as by the laws and Statutes now remaining of force in that part of Great Brittain called England the people of that denomination are intituled unto within those dominions

Under the former Acts of Assembly the Quakers could not vote for Assembly men without taking an oath, its certain they are not the most tractable people where they are numerous as in one or two Counties they are.

N^{o} 3 An Act to prevent small stallions from running at large in the Colony of New York and to geld such as shall be under the size therein mentioned

This Act is intended to mend the breed of horses in their size for at present they are small and will be smaller still unless care be taken.

N^{o} 4 An Act for regulating the ruts of waggons in Dutches County, one or two counties in the Province having formerly obtained Acts of Assembly to make their waggons of a larger and equal size this County having observed the benefitt the people have had by it are desirous to tread in their steps

N^{o} 5 An Act for regulating the choice of a representative for the Manor of Courtland in the County of West Chester.

The reason of this bill appears in the body of it, the King by his Grant gave Courtland the priviledge of having an Assembly man for his Mannor but as there were no directors in the Grant how the choice should be made this Act supplys that defect.

N° 6 An Act for the better explaining and more effectual putting in execution the Act of Generall Assembly therein mentioned proper houses for holding courts in the Counties and good prisons are necessary buildings, this County they wanted both and the Act recited in this not being sufficient to answer the end this was passed to make it effectual.

N° 8 An Act for regulating the rates to be taken for ships and other Vessells useing the Warf called Burnets key in the City of New York.

The owners of this wharf having at a great charge carry'd it a considerable way into the water whereby almost any of our Vessells can carrean there with more ease and less expence both of money and time than they formerly used to do by hulks when riding at anchor in the River, are deserous to have the rates which the Merchants have hitherto voluntarily paid them settled by a law.

N° 9 An Act for naturalizing Abraham Housman John Grondain, Jacob Boss, Frederick Becker Johanis Wedderlin, Conrode Rightmier, Johanis Spaler Zacharias Haber, Peter Cruller and Johanis Vanwyck

N° 10 An Act for discharging a certain obligation enter'd into by Cornelius Cuyler of the City of Albany Merchant to the treasurer.

Neither of these Acts want anything more to be said of them than that the first encourages the peopleing of the Country the last explains its self.

N° 15 An Act for the partition and division of a certain tract of land in Dutchess County granted to Samson Broughton Rip Van Dam Thomas Wenham Roger Mompesson, Peter Fauconnier, Augustin Graham, Richard Sackett and Rober Lurting

The Acts of Assembly that have been heretofore past in this Province for the partition of lands, especially the last general Act that was made in M^r^ Burnetts time have^e^ not guarded against the encroachments which the granters might make on the Crown lands or other contiguous Grants, and being in other respects to loosely worded or giveing to much room for fraud or surprise the persons who petitioned for this Act having nothing in view but a fair and equitable Partition, have in this shunned those causes of objection which proved the fate of that and have conceived it in terms altogether agreable to justice and the circumstances of the Province, hoping only for an honest and necessary aid to enable them to divide their lands that they may be thereby impowered to pursue the end and intention of the grant in peopleing and cultivating the Province, and I own that I find so much Justice in it that if I had no other reason to induce me I should very frankly give them my utmost assistance; but my Lords there are others that weigh very much with me, the fate of the act pass'd in M^r^ Burnetts time has been a principall cause not only that people have not come from abroad to settle among us but has likewise drove many of our own people to the Neighbouring Colonies, for thô some hardy men have ventur'd without a partition to settle some parts of the undivided lands in the Country, yet those are but few, and the rest more Cautious have chose rather to neglect a present advantage than rashly to engage in a thing that in the end will involve them in expensive law suits and lasting trouble

This Province is the frontiers to the other Provinces against Canada and as such the peopleing of it ought I thing to be encouraged nor is there a more effectual way to do it than by enabling the proprietors to divide their lands in the manner prescribed by this Act, I see no inconvenience in it either to the Crown or to the subject but many present and great

advantages to the publick from the settlements that will be made in consequence of Partitions especially of those tracts of Lands that lye between Albany and New York of which this is one, among other advantages this being one that we shall keep our own young people from going to the other Colonies for they are very unwillingly brought to settle the frontiers; as for the extream part of the Province beyond Albany where there are large tracts still in the grant of the Crown other methods are to be taken for the settling them and we have already fallen upon a Scheme that I think will fully answer the end, which is to give grants gratis (all the officers concerned having consented to it) of 100,000 acres of land clear of all charges but the quit rent. in 200 acres to a family to the first 500 protestant famillys that come hither from Europe on that encouragement, and I have already caused advertizements with the advice and consent of Council to be printed and sent to several Parts of Europe.

Upon the whole my lords whether you cosider the Common Strength and wealth of the Country the increase of trade or the Justice and equity of this Act I perswade myself you will think with me that it is highly reasonable and necessary to be passed into a law, and I hope from your Lordships goodness and care of the Provinces, for your recommendation of it to his Majesty for his Royal aprobation

N° 16 An Act to lay a duty on empty casks imported into the City of New York during the time therein mentioned

The preamble of this Act setts forth the reasons for the passing it, and they are very true.

N° 17 An Act for the further continueing an Act entituled an act to let to farm the excise of strong liquors retailed in this Colony for the time therein mentioned and for declaring shrub lyable to the same duties as distilled liquors.

This Act being that fund for sinking the paper money formerly struck here and being the same as has been anually passed for several years I need make no other remarks on it.

N° 18 An Act to prevent desertion from his Majestys forces in the Colony of New York

N° 19 An Act for the further continuance of an Act intituled an Act for settling an regulating the Militia in this Province, and makeing the same usefull for the security and defence thereof and for repealing all other Acts relating to the same likewise the several Acts whereby the same has been revived and continued

These two Acts carrying their reasons with them I will not give your Lordships the trouble of any observations on them.

Having finish'd what I thought myself obliged to say on these acts of Assembly I beg leave to acquaint your Lordships that the Attorney General of this Province having filed a bill in the Court of Chancery against the pattentees of a pätent granted by Côll Montgomerie for some lands in this Province in order to make the same void being as the bills suggests obtain'd by fraud and surprize and having served those defendants who live in this Province with Supeenas to appear and answer, several of them instead of answering having given in exceptions under their hands to the constitution and Jurisdiction of the Court, your Lordships well know that the Court of Chancery has been often attacked and warmly voted against by the Assembly's of this Province, and its authority as often asserted by his Majesty's Governour and Councill, and the Governours countenanced and protected by your Lordships board, but this is the first time that any private persons have ventured to question it, and since former Governours have withstood the resolves of the Assembly and have been Justified in it I should be unexcusable if upon a weaker assault I should give up the Kings Authority nor do I despare of the like protection that my predecessors have rece[d]; I assure your Lordships I am not at all fond of having any suits brought before me in that Court and this is the

only one that has been commenced in my time but when the Attorney Generall for the King or others for the relief of their Clients think it necessary to do it I dare not deny them, I am surprised indeed and I believe your Lordships will think it very extraordinary that three of his Majesty's Council, and they to, three of those Councellors who warmly censured the resolves of the Assembly against the legality of the Court of Chancery in 1727 should sign these exceptions against the same Court, nor are they content with that but openly and avowedly declare their opinions against the Kings authority to Establish Courts of Equity in the Plantations a doctrine very opposite to the opinions which I have seen under His Majesties Attorney and Solicitor General of England and to the opinion of your Lordships board signify'd in a letter to Côll Hunter of the 12 of June 1712 my Lords I am to Act in matters of moment (and there can be none of greater moment than those wherein his Majestys prerogative is concern'd) by and with the advice and consent of Council, what advice and what consent I am like to have from such men your Lordships will readily guess, there are many things that I dare not, I cannot do without the advice of the Council and yet if I follow such advice as these men will give me I may be more criminal I have no ways therefore to do my duty with my preservation of my honour but to leave it to your Lordships Judgement whether they are fit to sit in His Majesties Council here or not, I have formerly acquainted your Lordships that a majority of the Council have declared that they could not sit at the Board with Mr Vandam after the open and scandalous aspersions he has thrown upon them in printed libels and papers industriously dispersed in the Province, and recommended Mr Paul Richards a merchant of this town of good estate and Credditt to be appointed in his room this I also submit to your Lordships Judgements, I do myself the honour to enclose to your Lordships a copy of the exceptions against the constitution of the Court of Chancery N° A which by order of the Court on the motion of the Attorney General comeing on to be heard the 5 instant, Mr Horsmanden one of the Council for the King in this cause open'd the nature of the bill and pray'd to have the exceptions read, which being done he stood up to argue that point but I would not suffer either the Council for the King or for the defendants to speak to it telling them that those exceptions where of so extraordinary a nature that I could hear no arguement upon them, that I was fully sattisfied in my own Judgemt of his Majesties undoubted right to erect Courts of Equity in His Plantations and that I was not singular in my opinion I order'd the enclosed Extract of minutes of Council N° B to be read, and then dismiss'd the Exceptions ordering the defendants to answer by a certain day, and I have the satisfaction to understand that my determination is universally approved of by all but the Defendants, I shall go shortly to Amboy to hold the Assembly of that Province were I shall meet with some difficulty to get a sufficient number of Councellors together to make a Council of those I recomended to your Lordships to be appointed for that Province have your Lordships aprobation I intreat you to recommend them to his Majesty that I may receive their apointments as soon as possible for the reasons here mention'd I likewise do myself the honour to send your Lordships Mr Kenedys account of the Quit Rents from the 29 of Sept: 1733 to the 29 of Sept. 1734 I am

My Lords
with the greatest respect
imaginable Your Lordships
most obedient and faithfull
humble Servant
W. Cosby

Governor Cosby to the Lords of Trade.

[New York Bundle Ee., No. 69.]

New York June 19. 1735

My Lords

In my letter to your Lordships of the 10th inst I layed before you the beheavour of some of his Majtys Council of this Province and the difficulties I shall lye under in the discharge of my duty to his Majesty in the trust repos'd in me if these men be not remov'd from their Seats at this board, I had not then fully resolv'd whome to recommend to your Lordships to succeed, but now my Lords I have thought of those whose fortunes and caracters are amongst the foremost in this Province for reputation and estate and as such I recommend them to your Lordships and they are these Thos Freeman Esq: who maryed one of my daughters, and Mr John Moore a considerable merchant in this town I am

My Lords
with the greatest respect
imaginable
Your Lordships most
obedient Humble Servant
W. Cosby

Endd Recd Augt 2
Read Augt 14. 1735

Lords of Trade to the Lords of the Privy Council.

[New York Entries, M., 1—7.]

To the Rt Honble the Lords of the Committee of His Majesty's most Honble Privy Council.

My Lords,

We have considered the humble petition of the Merchants and Traders of the City of Bristol, whose names are thereunto subscribed, referr'd to us by Your Lordships on the 1st day of November 1734 complaining of an Act pass'd in His Majesty's Province of New York intituled, "An Act to repeal the Act and to cancel the Bills of Credit therein mentioned, and grant unto His Majesty several duties for supporting His Majesty's Government in the Colony of New York until the first day of September which will be in the year 1737."

We have been attended upon this occasion by the Agent for the Petitioners and have heard what he had to offer in support of their petition and having considered the said Act and taken the advice of Mr Fane one of His Majesty's Council at Law thereupon we take leave upon the whole to observe to Your Lordships that by the following Clauses of this Act it is provided that there shall be paid to his Majesty for every slave, (male or female) "of four years of age "and upwards, imported directly from Africa, the quantity of five ounces or Sevil Pillar or "Mexico Plate, or forty shill: in Bills of Credit made current in this Colony.

"For every Negro, Mullatto or Indian Slave (male or female) of four years of age and "upwards imported from all other places by land or water, the sum of four pounds in "like money.

"For all European or East India Goods imported with proper Certificates from the British "Islands in the West Indies, the sum of five pounds in like Money, for every hundred pounds "value prime cost, and after that rate for a greater or lesser quantity."

As these clauses are greatly prejudicial to the Trade & Navigation of this Kingdom, and are likewise expressly contrary to His Majesty's Instructions to the Gov^{r} of New York, by which he is directed not to pass any Act for imposing Duties upon Negroes payable by the Importer, or whereby the Trade or Navigation of this Kingdom might be any ways affected, unless a clause be inserted in such Act for suspending the execution thereof 'till his Majesty's pleasure should be known concerning the same, we should for these reasons propose to Your Lordships that the Act in question might be laid before His Majesty for his Disallowance.

But considering the Inconveniencies and Confusion that might arise in the province of New York if this Act which settles funds for the support of His Majesty's Government there should be repealed before other provisions are made for the same purposes, we therefore humbly propose that this Act may be suffered to ly by for the present, and that orders may be immediately sent to His Majesty's Gov^{r} of New York to move the Council and Assembly of that Province forthwith to pass a New Law for repealing the three foregoing clauses and for providing and settling other Funds for the like purposes not liable to the same objections.

We take leave to transmit to Your Lordships the Draught of such an Instruction as we have prepared upon these heads for the Gov^{r} of New York, which, if Your Lordships should approve it, may be immediately sent to him. But if the Council and Assembly of New York shall refuse to comply with this Instruction, we should then propose that the Act in question may be laid before His Majesty for his Disallowance. W^{e} are, My Lords,

Your Lord^{ps} most obedient
& most humble Serv^{ts}

FitzWalter
T. Pelham
Ja. Brudenell
R. Plumer.

Whitehall
Augst y^{e} 6th 1735.

Additional Instruction to our Trusty and Wel beloved W^{m} Cosby Esq^{r} Our Cap^{t} General and Gov^{r} in Chief in and over our province of New York and the Territories depending thereon in America or to the Commander in Chief of our said Province for the time being. Given at

Whereas several Merchants and Traders of Our City of Bristol have most humbly petitioned us complaining of an Act pass'd in our Province of New York entituled "An Act to repeal the "Act and to cancel the Bills of credit therein mentioned and to grant unto his Majesty several "Duties for supporting His Majesty's Government in the Colony of New York until the 1st "day of Sep^{r} which will be in the year 1737," laying a Duty of five ounces of Plate or 40^{s} current mony of New York upon every slave (male and female) of four years of age or upwards imported directly from Africa, and four pound like mony upon every slave of the same age from any other place for all European or East India Goods Imported with proper certificates

from the British Islands in the West Indies, the sum of five pounds in like mony for every £100 value prime Cost which Act having been examined by our Commiss^{rs} for Trade and Plantations is found to be directly contrary to the 18th Article of Your Instructions whereby you are expressly forbid to pass any law by which the trade or Navigation of this Kingdom may be any way affected declaring it to be our Royal Intention that no Duties shall be laid in the province under your Government upon British shipping or upon the Product or Manufactures of Great Britain upon any pretence whatsoever. It is therefore Our Express will and pleasure that you move our Council and Assembly of our said Province forthwith to pass a New Law for repealing the three foregoing Clauses and for providing and settling other Funds for the like purposes not liable to the same objections, or at least that an Exception be made in favour of all Goods whatsoever of the Product or Manufacture of Great Britain; and that no Duty be laid on any Slaves Imported payable by the Importer, and you are also to signify our Royal Intention to our Council and the Assembly of our said Province that if they do not immediately comply with this our Instruction we shall repeal the Act now complained of.

Lords of Trade to Queen Caroline.

[New-York Entries, M., p. 12.]

To the QUEEN'S MOST EXCELL^{t} MAJESTY Guardian of the Kingdom of Great Britain & His Majesty's Lieutenant within the same.

May it please Your Majesty

We have rec^{d} a letter from Col^{o} Cosby his Majesty's Governor of the Province of New York dated the 6th of December last in which he complains of the factious, disaffected and illegal Behaviour of M^{r} James Alexander, a Member of His Majesty's Councils in New York and New Jersey, Lewis Morris late Chief Justice in the Province of New York, and a Member of His Majesty's Council in New Jersey, and Rip van Dam Esq^{r} late Commander in Chief and President of the Council at New York, which Complains are supported by several papers printed at New York and by a Report of His Majesty's Council there, transmitted to us upon this occasion by Col^{o} Cosby.

Col^{o} Cosby acquaints us in his letter that the said Alexander and his party have set up a printing press at New York, where the most virulent libels and most abusive Pamphlets published against the Ministry and other persons of Honour in England have been reprinted, with such alterations as served to inflame the people against the several branches of the legislature, and the Administration in that Province.

That factious Cabals are secretly held several times a week in New York at which Alexander is always present, as Morris was before his coming privately to England.

That a black and malicious attempt hath been made by the said Alexander against M^{r} Harrison, a Member of his Majesty's Council at New York, and a person of known loyalty, by charging him with a capital crime, of which he hath been fully acquitted by a Committee of His Majesty's Council and by the grand Jury in that Province who refused to find the Bill

against him, upon the Affidavits of the said Alexander and one Smith, who acted in concert with him upon that occasion.

That the said Morris whilst President of the Council in the Province of New Jersey, acted in the most arbitrary manner having turned out several loyal old servants and officers without consent of the said Council, in contempt of His Majesty's Instructions to make way for His near Relations; that he had sat and acted as Chancellour, and made a decree without giving regular Notice, or hearing the parties concerned, and that nevertheless he hath loudly declaimed both in New York and New Jersey against His Majesty's Gov^rs^ who have sat as Chancellors affirming publicly that no decrees of the Chancery or any other Court of Equity were binding on the subject, and that His Majesty had no right to establish any such Court in those Provinces.

Col^o^ Cosby further acqaints us that Rip van Dam, Morris, Alexander and others of their party appear by their behaviour to be disaffected to His Majesty's Government, and are daily exciting the people to sedition and Riot, for which Reasons we take leave humbly to propose to Your Majesty that the said Van Dam may be deprived of his seat in his Majesty's Council of New York, the said Morris of his seat in the Council of New Jersey, and the said Alexander of his seats in both those Councils and that John Moor and Paul Richards Esq^rs^ may be appointed of His Majesty's Council in New York, in the room of Rip Van Dam and James Alexander, and that Robert Lettice Hooper, chief Justice of the Province of New Jersey, & Joseph Warrell Esq^rs^ may be appointed of the Council in New Jersey in the room of the aforesaid Lewis Morris and James Alexander, the said John Moor, Paul Richards, Robert Lettice Hooper and Joseph Warrell Esq^rs^ having been recommended to us as Persons every way qualified to serve His Majesty in those Stations.

All which is most humbly submitted

Whitehall
Aug^t^ y^e^ 28^th^ 1735

Ja Brudenell
R. Plumer
FitzWalter
T. Pelham

Lords of Trade to Governor Cosby.

[New York Entries, M., 16.]

To W^m^ Cosby Esq^r^

Sir,

Since our letter to you of the 22^d^ of Aug^t^ we have received yours of the 6^th^ and 7^th^ Dec^br^ 1734 and 10^th^ and 19^th^ of June last, with the Acts and publick Papers therein mentioned to be inclosed, which Acts we have sent to M^r^ Fane, one of his Majestys Council at Law, for his Opinion in point of Law thereupon, and so soon as we shall have received the same we shall take the said Acts more immediately into consideration.

We have considered what you write concerning the Court of Chancery, as also the Resolves of the Assembly of the 25^th^ Nov^br^ 1727 with a Report of a Committee of Council thereupon dated the 5^th^ of Dec^br^ following, and we are not a little surprized at Your informing of us that some of the Members who compose that Committee should now make any opposition to the holding of that Court, however different they may be in opinion from what they formerly were of, We think you did very well not to admit the arguing of any exceptions against the

Jurisdiction of that Court, a Court established in the very Infancy of that Colony by the Crowns undoubted Right signified to the then Governor under the broad Seal of this Kingdom, successively confirmed under the Broad Seal in every Governor's Commission that has been appointed since, and which must therefore consequently be deemed an Essential part of the Constitution of that Province; You will therefore do well to pursue the Directions of Your Commissioners and Instructions by holding that Court whensoever there shall be occasion and if the Assembly of that Province shall for the future yet presume to dispute the King's Authority in this respect, you may very properly signify to them that they and the Court of Chancery meet and act by Virtue of the same power, viz^{t} His Majesty's Royal License, granted under the broad Seal of this Kingdom.

According to Your Desire we have recommended John Moore and Paul Richards Esq^{rs} to succeed M^{r} Van Dam and M^{r} Alexander in the Council of New York; and W^{m} Provost, John Schuyler, Tho. Farmer, John Rodman, Rich^{d} Smith, Robert Lettice Hooper & Joseph Warrell Esq^{rs} to succeed M^{r} Hugg, M^{r} Baird, M^{r} Johnson, M^{r} Parker, M^{r} Smith, M^{r} Morris, and M^{r} Alexander in the Council of New Jersey.

We desire you will not omit to send us Annual Answers to the queries we formerly transmitted to you, concerning the state of the Provinces under Your Government and so we bid you heartily farewell, and are,

Your very loving friends
and humble Serv^{ts}
FitzWalter
T. Pelham
R. Plumer.

Whitehall
Sep^{r} y^{e} 5th 1735

Order of the King in Council declaring the Reasons for removing Chief Justice Morris insufficient.

[New-York Papers, Ff, No. 6.]

At the Court of St James's the 26 day of Nov^{r} 1735

Present— The Kings most Excell^{t} Majesty in Councill

Upon reading at the Board a Report from the Lords of the Committee of His Majestys most Honorable Privy Council for Plantation affairs dated the 7th of this inst^{t} in the Words following viz^{t}

> Your Majesty having been pleased by your order in Council of the 23rd Nov 1733 to referr unto this committee the humble Petition of Lewis Morris Esq^{r} setting forth that he hath held the office of Chief Justice of His Majestys Province of New York in America for about twenty years during which time he discharged his Duty with the utmost integrity; That in August 1733 Col^{o} Cosby the present Governor of that Province issued a Supersedeas to the Petitioners Commission of Chief Justice without assigning to the Petitioner any reasons for the same That conceiving his character

to be greatly affected by being thus removed and that as the said Governor is required by your Matys Instructions not to displace Judges without good and sufficient Cause to be returned to your Majesty and also to the Lords Commissioners for Trade and Plantations He therefore most humbly prayed to be allowed copys of the reasons for his removal returned by the said Governor and that he might be heard in his Defence against the same and in case it should appear that the said reasons were not good & sufficient that then he might be restored to his said office—The Lords of the Committee in Obedience to your Matys said order of Reference did on the 8th of January following take the said Petition into their consideration and thought proper to order that the said Governor should forthwith transmit to this Committee his reasons for removing the said Petitioner from his office of Chief Justice which he having accordingly done the Lords of the Committee this day took the whole matter into their consideration and heard counsel as well on behalf of the Petitioner as of the said Governor and do thereupon agree humbly to report to your Maty as their opinion that the Reasons so transmitted were not sufficient for removing the Petitioner from His office of Cheif Justice of your Matys Province of New York

His Majesty this day took the said report into His Royall consideration and was pleased with the advice of His Privy Council to approve thereof

A true Copy

Ja Vernon

Governor Cosby to the Lords of Trade.

[New-York Papers, Ff., No. 11.]

New York Dec 19th 1735

My Lords

I have the honor to receive your Lordships letter of the 17th June & take this opportunity to give your Lordships the following answer which I hope will give you all the satisfaction you expect. All the Duties & Impositions that were laid on Trade and we[re] subsisting in this Province in the year 1731 were laid in the year 1728 by an act of Assembly entituled an Act to repeal some parts & to continue & enforce other parts of the Act therein mentioned and for granting several Duties to His Majesty for supporting His Governor in the Colony of New York from the first of September 1728 to the 1st Septr 1733 and are these

On every Negroe of four years & upwards imported from Africa 40s And for every Negroe imported from every other place £4

Every pipe of Wine imported two pounds five shillings Every Gallon of Rum Brandy or other distilled liquors imported £0 : 0 : 2½

Every gallon of Rum or other Spirits distilled wholly or in part from Molasses within this Colony 2½d

On all European or East India Goods imported from the British Islands in the West Indies £5 Pr Cent on the prime cost.

On every hundred weight of Cocoa imported 4s.

Which Act was repealed by an act passed in 1732 intituled an Act to repeal the act and to cancel the Bills of Credit therein mentioned and to grant to His Majesty several Duties for supporting his Government in the Colony of New York until the first of September 1737 by which Act the like duties are laid and are to subsist to the 1st Septr 1737.

By an act passed in 1731 entituled an Act to support the Troops at Oswego & to regulate the Indian Trade there the following duties are laid

On every piece of Strouds which shall be sold carryed or transported in order to be disposed of to the Indians or French from the first of October 1731 to the first of October 1732 £0–10:— & on every Gallon of Rum so disposed of 1s. which duties are by subsequent Acts continued to the first day of November 1737

By an Act passed in June 1734 entituled an Act to lay a duty of Tonnage on the vessells and for the time therein mentioned there was a duty laid of 3s. a Ton on all Trading vessells except vessells built within this Colony, Vessells wholly owned by the Inhabitants of this Colony and the Inhabitants of Great Brittain all coasting vessells westward & Southward as far as Cape Henlopen and Eastward as far as New Hampshire and all Whaling vessells which duty by that Act was to continue six years to commence from the first of July 1734 but by a subsequent Act passed in Nov 1734 was continued to the 1st of July 1744 and is applyed to the sinking of Bills of Credit struck for Erecting Fortifications

By an act passed in Novr 1734 entituled an act to lay a duty on Negroes & a tax on the Slaves therein mentioned during the time and for the uses within mentioned there are the following duties laid

For every Barrel of Syder from the 25th of Decr 1734 for ten years one shilling

For every Barrel of Pork except that of New Jersey 3s.

For every Barrel of Beef except that of New England 2s.

For every Negroe, Indian or Molatto Slave above the age of fourteen & under fifteen one shilling yearly—

These duties are likewise applyed to the sinking of the Bills of Credit struck for the erecting Fortifications

By an Act passed in 1734 entituled an act to lay a duty on empty cask imported into the city of N. York during the time therein mentioned the following duties are laid

For every Hogshead	1s 6d
For every Tierce	1s
For evry Barrel or small light cask	9d
For every flower or Bread Barrel	1s
For every flower or Bread half Barrel	7½d

These duties are to continue to the 1st Decr 1737

These my Lords are all the duties & all the Acts in force that any way effect Trade

I do myself likewise the Honor to send to your Lordships the Acts of Assembly past at New York the last Session which are these

An Act for the further continuing an Act entituled an Act to let to Farm the excise of Strong liquors retailed in this Colony &c

An Act for the further continuance of an act entituled an act for settling and regulating the Militia in this Province

These being annual Acts I will not trouble your Lordships with any remarks upon them having nothing more to say than what I have heretofore said

An Act to continue the two several Acts therein mentioned relating to the publick high Roads in the city and county of Albany

An Act for the further continuing an Act entituled an Act for the better clearing regulating and further laying out publick High Roads in the County of Ulster

The Services proposed to be done by the Acts which these continue not being compleated & it being a necessary work it was proper to pass these

An Act to continue an act entituled an Act to discharge the several Demands on the trading House att Oswego to support His Majestys Troops posted there—There have been so many Acts passed for this Service and your Lordships are so well acquainted with the importance of the Fur Trade and the necessity of maintaining this advanced Garrison to protect it that it is unnecessary for me to say any thing to it

An Act to receive and enforce and continue the currency of the Bills of Credit therein mentioned until the end of the year 1739

The Fund on which these Bills of credit were struck not answering the expectations of the Assembly there are many of them not yet sunk and that fund being afterwards appropriated to the sinking of other Bills of Credit can not till the year 1740 be further applyed to the sinking of them it was thought absolutely necessary to pass this act which gives the paper money its former credit

An Act to prevent damages by Swine in the Precinct of Goshen and some other parts contiguous to the County of Orange

This Act carries its reason in the preamble

An Act for naturalizing William Cornelius &c This and other Acts of the like kind are necessary to encourage foreigners to settle among us

Besides the Acts I do myself the Honour to send to your Lordships the Minutes of Council from the 5th day of April 1735 to the 24 day of Novr last

I am My Lords
With the greatest respect
imaginable
Your Lordships
Most obedient & faithful
Humble Servant
Sgd W. Cosby

Secretary Popple to Governor Cosby.

[New-York Entries. M. p. 19.]

To Colo Wm Cosby Govr of New York & New Jersey.

Sir,

Among the papers you transmitted to My Lords Commissrs for Trade & Plantations in Your letter of the 6th of December 1734, relating to Your Complaints against Mr Morris Mr Van

Dam and Mr Alexander, there are some New York News Papers by whch it is intimated that you have sometimes voted as a Councillor in a legislative Capacity, that you have expected Bills pass'd the Assembly should be presented to you prior to their being laid before the Council and that you have adjourned the Assembly in your own Name.

As these three points are not before My Lords as matters of Complaint against you, their Lordships do not send you these particulars by way of charge, hoping they may be not be true. But however they have commanded me to send you their sentiments upon each of them for your conduct thereon.

As to the first you are to observe that the Council sits in two Capacities, vizt as Your Council, to advise you generally in all political Cases, and in particular Cases where, by your instructions you are restrained from Acting without their advice & consent: In both these Cases you are to sit, and advise with them. They likewise sit as the 3d Part of the Legislature and in that case you are neither to sit nor vote with them. Was you to do it upon any occasion where a law is the subject of their Debate, and that the Councillors being divided in opinion the law should either be passed or rejected, by your single vote. It would in fact be taking away the Priviledge of the Council in vesting two of the three parts of the Legislature in one person and consequently destroying that constitution so prudently established by His Majesty's Commission & Instructions for the Government of his American Colonies. The same Reasons govern the Board's opinion upon the second point, because as a third part of the Legislature is vested in you, you have an absolute negative upon every act agreed to by Council or Assembly; and therefore you are not to expect any Act to be presented to you, till it shall have pass'd both the Council and Assembly.

With regard to the third point I am to remind you of your Instructions by the whole tenour of which you are directed to Act in the King's name and not your own. And also it may be some doubt whether you have any right of adjourning the Assembly, yet there can be none, but that it must be in His Majesty's name, if done at all; & with Regard to the Governors adjourning them the Custom of the province must be Your guide; but the power of proroguing and dissolving is without doubt His Majesty's Prerogative, and vested in You as Govr I am, &c

A. P.

Whitehall
Janry 23d 173$\frac{5}{6}$.

Lords of Trade to the King.

[New-York Entries, M., 22.]

Representation to H. M. as to Governor's not acting as Councillors.

To the King's most Excellent Majesty.

May it please Your Majesty,

Having been informed that in some of Your Majesty's Colonies in America the Govrs do sometimes sit and vote as Members of their respective Councils, in all ordinary cases, and even when the Council acts in their Legislative capacity & this appearing to us to be inconsistent

with the tenour and intention of Your Majesty's Commission and Instructions to the said Govrs we thought proper in a matter of this Consequence to state a case and propose Queries thereupon to Your Majesty's Attorney and Sollr Genl who are of opinion that the Govrs of Your Majesty's Plantations ought not in any case whatsoever to sit & vote as Members of the Council in their respective Governments.

We therefore beg leave to annex a Copy of the said case and opinion to this Representation and humbly submit it to Your Majesty's Royal Wisdom whether the said Govrs should not be directed to conform themselves thereto in such manner as Your Majesty shall thing proper.

Which is most humbly submitted

M. Bladen
Ja. Brudenell
Ar. Croft
Fitz Walter
O. Bridgeman
R. Plumer.

Whitehall
Febry 6. 173$\frac{5}{6}$

Opinion of Mr Attorney and Solicitor General.

[New-York Papers Ff., No. 8.]

The Government of His Matys Plantations in America consists of a Govr Council and Assembly — These three have the Power of making Laws vested in them and the Governor has a Negative upon every Act passed by the Council and Assembly

The Council sits in two capacitys viz as one part of the Legislature, and as a Council to advise & assist the Governor in all political cases

And the Governors are restrain'd by their Instructions not to act without the advice and consent of the Majority of them, in many cases

Query....Therefore, whether in any Case the Governor can sit and vote as a member of the Council

On the Death or absense of a Governor The President of the Council, if there be no Lieutenant Governor upon the Place, always acts as Governor, till a new Governor is appointed by His Majesty

Query....Is the said President then capable of acting and voting as a Councillor during the time he acts as Governor, and represents the King?

1st Answer

We are of opinion that it is inconsistant with the nature of this Governmt with the Governors commission & His Majesties Instructions That the Governors should in any case whatsoever sit and vote as a member of the Council

2d Answer

The clause in the Governors Commission which gives the Power to the President of the Council to act as Governor in case of the Death or absence of the Governor is not laid before us but only referred to in the Instructions but we presume it gives him no greater power than

is given to the Governor himself and if not we are of opinion that such President can not act or vote as a Councillor during such time as He acts as Governor

J WILLES
D RYDER

January 15th 1735.

Secretary Popple to Governor Cosby.

[New-York Entries, M., p. 25.]

To Col. Cosby.

Sir.

Mr Livingston and Mr Storke having petitioned his Majesty for a large Tract of Land upon the Mohawks River of about Six Miles square, that Petition is referred to My Lords Commissrs for Trade & Plantations who not being apprized whether some part of the said Land may not already be granted to some other persons and whether the Mohawk Indians may not be seated on part thereof in which case it will be highly improper to give them any umbrage, I am commanded to send you a Copy of the said petition, and to desire you will as soon as possible send to their Lordships Your opinion and Observations at large concerning the said petition and that you will inform them whether the Tract of Land surrender'd to the City of Albany by the Mohawks in trust for themselves is not contained in the Tract now petitioned for. I am further to acquaint you that their Lordships think it highly improper that you should make any Grant of any part of the land described in the aforesaid petition before His Majesty shall have determined thereupon.

It was with great pleasure that I was informed by a letter from your Secretary that you are recovering from your late dangerous Illness: I hope the next letters will bring news of your being quite well again, and am, Sir,

Your most humble Servt
A. POPPLE.

Whitehall
Febry ye 25th $173\frac{5}{6}$

President Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 18.]

New York Mar. 16th $173\frac{5}{6}$

My Lords

I do myself the honor as it is my duty to inform your Lordships that Governor Cosby departed this life the tenth of this month after a severe fit of sickness that held him above fifteen weeks two days after he was taken ill he suspended Mr Van dam Whereby, On his

Excellencys death the administration of the Government devolved on me, I immediately summoned all the Council then in Town who administered the oaths to me as your Lordships may be pleased to see by the enclosed Minutes of Council No A and N° B. The next day M^r^ Van Dam came to the Court Gate and demanded to speak with M^rs^ Cosby who sent him word that her great affliction would not permit her to see any one the[n] he desired that some witnesses whom he brought with him might deliver her a letter from himself which he had in his hand but being told that the answer to the first demand answered the second he desired the officer of the Guard who carried his first message to deliver her that letter, he did so, and it being a demand of the Commission, Instructions and Seal she ordered an answer to be sent to him that she had delivered them to the Council as soon as he had delivered his letter for M^rs^ Cosby to the officer of the Guard he desired him to acquaint me that he wanted to speak with me I immediately went out of the Fort Gate to him, who put into my hand an open letter from himself to me the copy whereof is No C and demanded my present answer in writing I told him I would send it to him whereupon he left me and I returned to the Fort and having communicat^d^ his letter to as many of the Gentlemen of the Council as were then with me I returned him the answer No D. the next day he served me with a protest No E. This demand and protest is with a view to sue me for the profits of the Government in case he be restored & I must expect it in the severest manner but as I have had the Honor to see your Ldps letter to Gov^r^ Cosby dated the fifth of September last acquainting him that you had made a Representation to her Majesty for removing M^r^ Van Dam and M^r^ Alexander from the Council Board. I presume to hope they will be removed and the Gentlemen whom your Lordships have recommended being Merchants of Eminence and of very fair Characters appointed in their Room

As soon as the Governors Suspension of M^r^ Van Dam was known as it was that very day a copy being then served on him the restless faction appeared very active and great pains were taken to prepare the mob for an insurrection and the Soberest and most thinking men have not been without apprehensions of some rash attempt, the[y] gave out many things to amuse and to corrupt the minds of the people, among others that the Governor had no power to suspend or if he had that the Suspension dyed with him that they have got the opinion of some Lawyers in other Provinces confirming their own, however notwithstanding all their noise and threats I have the Honor to be peaceably possessed of the administration of the Government and have reason to hope that by a mild and prudent conduct I shall reclaim the people to their due obedience and in time restore tranquillity to the province to which I am bold to say that nothing will so much contribute as his Majesties dismissing Morris from his pretensions to be restored to his Cheif Justice Ship, and Van Dam and Alexander from the Council these being the heads of the factions who openly declaim against the Kings Prerogative, who poison the minds of the People, who libel the Government in weekly printed papers and who have endeavored to distress the Governor in his just administration but if these even are not removed the people will grow still bolder in their attempts on his Majesties Prerogative and the spirit of Faction increase as the Ring Leaders are countenanced

I do assure your Ldps that no private prejudice sways me to this Representation I have had the Honor to serve the Crown many years in this province, I have ever to the utmost of my power and in my station opposed all attempts against the Prerogative, and at the same time have lived in a friendly correspondence with all men nor ever had any personal misunderstanding with any of my fellow councillors what I have said proceeds from the

sincerity of my heart entirely devoted to his Majestys service. had not Mr Van Dam been suspended he would have been but a Tool in other hands he is very old and that small share of understanding which he had formerly is much impaired he is looked upon as the head of the faction, only as he had once the administration of the Government as President on Coll. Montgomeries death a time wherein no spirit of Party appeared If Van Dam be restored he will load me with Prosecutions and I shall be undone, they have already hanged me under a feigned name in a fictitious piece of history about a month ago in one of their printed papers but their inhumanity to the Governor and his afflicted family was much greater I was in health and could laugh at it, the Governor was in a weak languishing condition and his family in the utmost affliction

I humbly implore your Lordships Protection & hope for it no longer than I shall exert myself in the support of His Majestys Rightful authority and for the prosperity of the province, I am placed in my present Station not by my own seeking but from the apprehensions Governor Cosby had of the evils that would ensue from the malice and rage of faction if Van Dam had not been suspended and it would be the hardest case in the world if I shall be undone for it.

I enclose to your Lordships the Certificate No F. and the Affidavit No G to shew the falsehood of the assertion in Van Dams protest, and the printed paper I mentioned and a proclamation for continuing Officers in their places. I beseech your Ldps to prevent my ruin, and to be permit me to subscribe myself as I am with the highest honor

My Lords

Your Lordships

most humble & most

obedient Servant

sgd GEORGE CLARKE

Mr. Van Dam to President Clarke.

[New-York Papers, Ff., No. 15.]

Sir

I was informed this morning that last night His Excellency our Governor died Whereupon I just now waited upon his widdow to inform her that upon the decease of the late Governor Montgomerie the administration of the Govern[t] of this province did devolve on me as eldest Councillor and requested her that as I was obliged to suppose that His Majesty's Comission and Instructions to her deceased husband were in her possession or power that she would favor me with a sight of them and that if they were conformable to the commission and Instructions to his late Excellency Governor Montgomerie in those points which respect the administration of the Government in case of the death of the Governor That then she would deliver the said Commission & Instruction and the Seal of the Province to me to whom I conceive they do of right belong. But her great and just grief upon so melancholy an occasion I supposed has debarred me of the opportunity to see her However I am informed that last night the

Commission Instruction & Seal of this Province were put in your hands Now Sir as you are sufficiently apprized that the administration of the Government did devolve on me at the decease of Gov^{r} Montgomerie I pray that you would favor me with the Sight of the Commission and Instructions to his late Excellency Governor Cosby and if they are conformable to the Commission and Instructions to the late Gov^{r} Montgomerie in those points the respect the administration of Government in case of death. Then that you would deliver the Commission Instructions and Seal to me to whom only I conceive they of right belong and if you have any reasons why you do not or can not comply with this request. I pray you to inform me of it in writing & you will oblige

Your most humble Servant
Rip Van Dam

Directed thus
To the Hônble George Clarke Esq^{re}
one of His Maties Council for
the Province of New York

The original letter dated 11th Mar 1735

President Clarke to Mr. Van Dam.

[New-York Papers, Ff., No. 15.]

Fort George in New York
March 11th 173$\frac{5}{6}$

Sir

In answer to your letter just now delivered to me by yourself I do myself the honor to say that Governor Cosby having suspended you a copy of which suspension you were served with in Novembr. last and I having been yesterday regularly sworn by His Majestys Council into the administration of the Government—I conceive the custody of His Maties Comission and Instructions to the said Governor, and of the Great Seal of the province, belongs to me And I shall keep them, as it is my Duty to do, till His Maties pleasure be known to whom only I am accountable

I am
Sir
Your most humble St.
signed Geo Clarke

Directed to Rip Van Dam Esq^{re}

President Clarke to the Duke of Newcastle.

[New-York. S. P. O., VIII., 178.]

New York March 16th 173$\frac{5}{6}$

May it please Your Grace,

As it is my duty I humbly presume to acquaint your Grace that Governor Cosby after a sixteen weeks sickness dyed the tenth of this month. Two days after he was taken ill he summoned a Council and suspended Mr Van Dam from his seat in the Council Board in consequence whereof the administration of the Government of this Province devolves on me.

About an hour after the Governors death all the Council who were in town met in the Council Chamber and having caused his Majesties Commission and Instructions to Governor Cosby with his suspension of Mr Van Dam to be read they all except Mr Alexander declared their opinion that the administration of the Government devolved on me and accordingly administred the oath to me, Mr Alexander said he was not prepared to give his opinion, but after I was sworn he concurred with the rest in adviseing me to issue a proclamation signifying the Governor's death and continuing all officers in their Posts.

The next day about five in the afternoon Mr Van Dam came to the Fort Gate with some witnesses and demanded admittance to Mrs Cosby, but being told she was not in a condition to see him he demanded that an open letter which he had in his hand might be delivered to her by those witnesses whom he brought with him and being likewise told that as she was not in condition to see him she could not see them he gave the letter to the officer of the Guard to be delivered to her, it containing a demand of the commission Seal and Instructions, and by the same Officer sent to speak with me, I went out of the Fort Gate to him where he deliverd me an open letter of the like purport and demanding my present answer in writing, I told him I would send it to him and haveing communicated his to as many of the Council as were then with me I sent him an answer in writing, a copy of which Suspension, Van Dam's letter to me my answer and the minutes of Council I do myself the honor to present to your Grace The next day he served me with a protest a copy whereof I likewise do my self the honor to inclose.

During the whole course of the Governor's illnes the restles faction have been very active to prepare the mob for an Insurrection, and the soberest and best men have not been without their apprehensions of some rash attempt however I have reason to hope that by a mild and prudent conduct I shall be able to restrain the first sallys of the peoples heat and to reclaim them to their due obedience, and in some reasonable time to restore tranquility to the Province to which nothing will so much contribute as his Majesties dismissing Morris from his pretensions to his Chief Justice ship and Van Dam and Alexander from the Council, these are the heads of the factions, these are the men who declaim against the King's prerogative, who poison the minds of the people, who libel the Governor and all in authority in weekly printed papers and who have endeavored to distres the Governor in his just administration, I am bold to affirm to your Grace, pardon my Lord, the expression, that if these men are continued in their stations this Province will be very unhappy, as on the contrary if they are dismissed the Spirit of faction will dye, those who have been misled by them will leave them and I shall have the honor to inform your Grace, that tranquility and harmony will be restored and the people brought to their former duty and obedience to his Majesties just prerogative.

I beseech your Grace to be assured that no private prejudice sways me to this representation, I have had the honor to second the Crown many years in this Province, I have ever to the

utmost of my power and in my station opposed all attempts against the prerogative, and yet I have lived in a friendly correspondence with all men, nor had ever any personal misunderstanding with my fellow Councillors Mr Van Dam or Mr Alexander, what I have done my self the honor to represent to your Grace proceeds from the sincerity of my heart wholly devoted to His Majesties service.

I perceive by a letter from the Lords of Trade to Governor Cosby dated the fifth of September last that they had made a representation to Her Majesty for dismissing Van Dam and Alexander from the Council, but as their dismission is not yet come hither if Van Dam had not been suspended he would undoubtedly have been but a tool in the hands of others, for he is very old, and that small share of natural understanding which he had formerly is greatly impaired, he is lookt upon as the head of the faction only as he had once the administration of the Government as President, on Col. Montgomeries death a time wherein no spirit of party appeared, had he not been now suspended Mrs Cosby whose present affliction is alredy too great must have expected a large addition from his resentment, as her being immediately turned out of the Fort and loaded with malicious prosecutions on imaginary and groundless claims, but as the administration is in my hands she is confident, and I presume to assure your Grace, not only of her continuance in the house of the Fort so long as she stays in the Province but of every act of service and friendship in my power.

I expect, and it will most certainly come to pass that if Van Dam be restored by His Majesty he will sue me for the profits of the Government, tis with this view that he has made his demand and protest, and I shall be undone: I humbly implore your Grace to grant me your protection, it is my great unhappynes to be unknown to your Grace, but if I presume to hope that His Excellency Mr Walpole who has done me the honor to give me his will be pleased to extend it so farr as to mention me favourably to Your Grace.

I beg leave likewise to inclose a certificate and affidavit to shew the falsehood of Van Dams assertion in his protest that the Governor was delirious. I humbly ask leave to recommend my self to your Grace's protection from the ruin threatened me by the malice of faction, and to subscribe my self with the greatest submission

My Lord

Your Graces

most humble most obedient and

most dutiful servant.

To his Grace the Duke of New Castle. (signed) Geo Clarke.

President Clarke to the Rt. Hon. Horace Walpole.

[New-York. S. P. O., VIII., 135.]

New York March 16th 173$\frac{5}{6}$

Sir,

On the 10th instant Governor Cosby dyed, I immediately summoned all the Council then in Town being seven who upon Reading His Majesties Commission and Instructions to

the Governor and his Exlys. suspension of M^r van Dam declared their opinion that the administration of the Governm^t devolved on me and accordingly administerd the oaths to me not one of them dissenting except M^r Alexander who said he was not prepared to give his opinion, though it is notorious that from him the notions have come and been propagated among the mob that the Governor had no power to suspend or if he had that the suspension would dye with the Governor.

The next day being in the Council Chamber the officer of the Guard told me that Van Dam was coming up to the Fort, I answered, it is very well, and without saying more he ordered the Gate to be shut fearing a mob would follow, soon after the Officer returned to me and told me that Van Dam wanted to speak with M^rs Cosby, he acquainted her with it and delivered her answer that her great affliction would not suffer her to see him, then he desired that two witnesses whom he brought with him might deliver her an open letter which he held in his hand but the like answer being given he desired the officer to deliver it, and to tell me he wanted to speak with me. as I was going to the gate I was told that the wicket was shut, I order it to be open and went out to Van Dam, who put into my hand an open letter from himself directed to me and desireing my present answer in writing, I said that I would send it to him and then he went away, upon inquiry the Gate was shut because the day the Governor dyed it was so ordered that no body might come into the Fort while the Council was sitting and I mention it to your Ex^ly because he takes notice of it in his protest but I have forgot to mention it to his Grace the Duke of New Castle and to the Lords of Trade. Both the letters, that to M^rs Cosby and that to me contain a demand of the Commission, Instructions and Seal, about an hour after I sent him my answer in writing, the next day he served me with a protest, and the next day after that all or most of the Council copys of all which papers and minutes of Council I do my self the honor to send to his Grace the Duke of New Castle and to the Lords of Trade. This demand and protest are done with a view to sue me for the profits of the Government in case he be restored and I must expect it in the severest manner the consequence whereof will be my ruin, and the perpetuating the Spirit of faction to the ruin of the Province, on the contrary if Van Dam and Alexander be removed from the Council Board, as the Lords of Trade represented to Her Majesty in the King's absence and Morris be not restored to the Chief Justice ship I have as great hopes as ever to restore tranquility to the Province. These men are the head of the Faction, these are they who declaim openly against the King's prerogative, who libel the Government in weekly printed papers, and who have endeavoured to distres the Governor in his administration, I mention all three tho Van Dam only lends them his name being himself of a very great age and that small share of understanding which he formerly had much impaired and tho Morris himself be in England yet his Son fills his place in the faction, and it is the hopes of seeing these men continued or restored to their places that attach the mob to them. If they are dismissed their followers will soon leave them and return to their former duty and obedience to the Governm^t

I did Sir in my letter of the 16^th of January last humbly implore your protection in several things and to it I beg leave to refer.

I have done my self the honor as it is my duty to acquaint His Grace the Duke of New Castle with the Governor's Death and have presumed to say for which I humbly ask your pardon, that I hope from your Excell^y's former protection you will do me the honor to recommend me to His Grace.

I heartily wish your Excellency succes in the high affairs committed to your management and in all things else being with the highest honor and regard

Sir

Your Excellency's most humble and
most obedient servant
(signed) Geo. Clarke.

To
R^t Hono^ble Horace Walpole.

President Clarke to the Lords of Trade.

[New-York Papers, Ff., 22.]

New York March 29^th 1736

My Lords

I now do myself the honor to send to your Lordships an other copy of M^r Van Dams protest which I told your Lordships in the duplicate of my letter of the 16^th instant I had not then time to transcribe

I have the pleasure to inform your Lordships that all the noise and threatnings of the Faction to rise on the Governors death is now no more talked of and I promise myself and dare assure your Lordships that if Van Dam, Alexander & Morris be displaced, I shall in some reasonable time have the honor to inform you that the people are returned to their right minds but whilest there is the least hope remaining to see those men continued or restored to their places the Spirit of Faction will shew itself

I do myself the honor to enclose to your Lordships one of their weekly printed papers wherein is young Morris's Speech against the Court of Chancery and with it I send the Resolve of the Assembly made upon it last November This Speech now printed and published by the Heads of the Faction to refresh the Peoples memories to tye them to their Interests & to extol their own merit If these men are countenanced what must those expect who exert themselves on the side of the Kings just Prerogative already they suffer all the vile contumely, that malice can invent and succeeding Governors must look for endless & insolent attempts on the Kings just authority

I do assure your Ldps it shall be my study by gentle methods to reduce the misguided to a sense of their duty (of which I do not doubt if the Ring Leaders are displaced) and to manifest to your Lordships that I have nothing so much at heart as his Majestys Service and the honor of subscribing myself with the highest Respect

My Lords

Your Lordships
most humble and
most obedient Servant
sg^d Geo. Clarke

President Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 23.]

New York April 7th 1736

My Lords

Having lately done myself the honor to write twice to your Lordships I do it now with some fear that my addresses may be thought troublesome but as this may serve to corroborate the Reasons given to your Lordships by Coll Cosby for removing Mr Van Dam & Mr Alexander from the Council of this province I presume to go on.

I enclose the minutes of Council of the 10th March No 1 wherein your Lordships will see, that tho Mr Alexander said he was not prepared to give his opinion on the Question whether the administration of the Government devolved on me yet after I was sworn, which he did not oppose, he with the rest of the Council took his Seat and acted with us in the order made for the Proclamation as much as any other of the Council there not being one dissenting voice and in the order for the Jersey Commission & Seal he was very active offering to carry himself to Jersey, but finding when he went from Council that the Faction blamed him for not opposing me, and for acting as a Councillor after I was sworn, he resolved to reinstate himself with them at any rate even with the grossest falsehood accordingly he caused a paper[1] to be printed and published in his name No 2 denying what he had so lately done nor was this his only view in it it is intended likewise to signify his opinion that the administration of the Government does not belong to me, that it is an usurpation that the Council who act with me are criminal and lyable to prosecution & Punishments threatenend in Mr Van Dam's Protest, and to support this opinion he has absented himself from Council every Council day since tho' duly summoned every time except once when he was out of Town and without doubt after this behaviour does not intend to come to Council any more. If his example or his Doctrine or the Threats in Mr Van Dams protest had prevailed with others the consequences that would have ensued are obvious, but the rest of the Council who live in Town and are all named in the enclosed minutes are so far from being deterred that they are unanimous in giving me their best assistance and advice: I humbly presume to hope from your Lordships Representation that his Majesty will be pleased speedily to remove Mr Van Dam and Mr Alexander and to appoint Mr John Moor & Mr Paul Richard in their room, besides the opinion of the Cheif Justice, and of Mr Horsemanden (Baristers at Law) two of the Council I have that of the Attorney General in Writing No 3: upon Mr Van Dams suspension being resolved to act on the best advice and with the utmost caution

I am informed that Mr Van Dam about the time of his Suspension got a certificate in his favor signed by the Faction and a great number of People of the meanest Rank; if Characters of men are to be judged of from such Testimonials, Faction will ever be triumphant. I never saw the certificate, but be it what it will his understanding is so much decayed that he is now almost childish & incapable of any public Trust or business and if he were to shew himself to your Lordships you would presently be convinced of it Mr Alexander too apprehending his fate from his behaviour has within these few days got a certificate from the Corporation of this City it was brought into common Council ready drawn by one of the Aldermen, upon reading

[1] Entitled "Notice of James Alexander, to the effect that he never advised or consented to Mr. Clarke's taking on him the administration of the Government. New-York, March 24, 173$\frac{5}{6}$."— Ed.

it the Recorder Mr Horsmanden, and the Mayor, Mr Richards objected to it, and refused to sign it the rest of the Corporation who were present and of the Faction signed it, and the Recorder insisted that it would be wrong to have it go in the name of the Mayor, Recorder &c since neither the Mayor nor Recorder would sign it, yet they resolved it should go in that Style and so it does. I am told that he has another Certificate from the Council of N Jersey I have nothing to do with that nor shall I rake into his character I have shewn your Lordships his behaviour as a Councillor in this Province and there I leave him with this short remark on his printed papers that the papers which he says appeared in Print posted up in the Market Houses is the inclosed Proclamation in the print No 2. I do myself the honor to send to your Ldps a Narrative No 4 drawn up by some of the Council in answer to Alexanders paper No 2

Yesterday a vessell arrived here from the Bay the Master whereof reports Mr Cunningham the Governor of Jamaica is dead[1] I humbly recommend myself to your Ldps protection being with the highest honor & Regard My Lords Yr Lps mo. Humble St.

GEO: CLARKE

P S I have adjourned the Assembly to the last tuesday in the month when they are to meet & go upon business

Order in Council rejecting Petitions in favor of Lewis Morris as Agent.

[New-York Papers, Ff., No. 26.]

At the Court at St James's the 29th day of April 1736

PRESENT— The KINGS MOST EXCELLENT MAJESTY in Council

Upon reading at the Board a Report from the Right Hônble the Lords of the Committee of Council for Plantation affairs dated the 21st of this Instant in the words following Vizt

> "Your Majesty having been pleased by your orders in Council of the 5th of Febry
> "last to refer under this Committee three Petitions from your Majestys Province of
> "New York, The first in the name of sundry of the Gentlemen of your Matys
> "Council of the said Province and of the Aldermen Common Council & Inhabitants
> "of the City of New York, The second in the name of several of the Freeholders
> "and inhabitants of Queens County within the said Province and the third in the
> "name of the Freeholders of the County of Ulster likewise within the said Province

[1] HENRY CUNNINGHAM was a gentleman of great parts and worth, and of sound judgment and happy temper. He had great knowledge of the *British* Constitution, and was zealous in the support of it in and out of Parliament, of which he had almost always been a Member ever since the *Union* (of Scotland). Tho' Governor, he never lost the affability of a private gentleman. Never was one more beloved or caressed with more justness; he knew the blessings of Liberty, and had he lived, would have redressed many grievances under which the Poor labored. It was his fault to begin too soon to cure the Insolence of the Planters; and a difference with one of the most considerable of them hastened his Death. Other accounts say, He was at an Entertainment with some of the principal persons of the place, and that there was an abundance of Good Wine as well as good humor; that Mr. Cunningham soon felt the effects of it in a violent fever in a few days, if not hours, about six weeks after his arrival. *Oldmixon. British Empire in America.* 2d. Ed. II., 379.—ED.

"all which Petitions Pray, in regard there is no agent appointed to lay a true state of "that Province before your Majesty or to take care of their Interests that your Mâty "will be graciously pleased to receive such Representations in behalf of the said "Province as shall be presented by Lewis Morris Esq^re^ The Lords of the "Committee in obedience to your Mâtys said Orders of Reference, have this day "taken the said Petitions into their consideration And to agree humbly to report to "your Majesty that this method of applying to your Mâty by way of Petition for the "appointing Agents for your Majesties Plantations is irregular & unprecedented "But that in case such method had not been irregular yet in regard the present "application is made ønly by some inhabitants of Particular Parts of the Province "who have taken upøn them to nominate a Particular person to your Majesty, as "Agent for the whole Province, the same can not therefore but be lookt upon as an "Innovation, which may prove detrimental to your Matys Service in the Plantations "in case the same should receive any countenance from your Maty & therefore the "Committee humbly propose to your Majesty that the said three Petitions may "be rejected."

His Majesty this day took the said Report into his consideration & was pleased with the advice of His Privy Council to approve thereof, and accordingly to order as it is hereby ordered, that the said three Petitions be rejected. Whereof all persons whom it may concern are to take Notice and Govern themselves accordingly

A True Copy.

W Sharpe

President Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 27.]

New York May 3^d^ 1736

My Lords

The Assembly of this Province standing adjourned at the time of Gov^r^ Cosbys death to the last Tuesday in March I adjourned them by the advice of the Council to tuesday the 27^th^ of April that being so soon as the Season of the year would permit them to meet, but there not being a majority in Town on that day, I adjourned them again with the advice of the Council to the thursday following in the morning the Speaker came to me & acquainted me that there was a majority of the house in Town and were to meet about eleven o'clock I summoned the Council to meet at that hour expecting to have a message from the Assembly as usual, we waited till one when the Speaker came to me and told me that enough of the members had met to make a house but that being all served by M^r^ Van Dam with a copy of his Protest against me and all that assisted me (which I did myself the honor to send to your Lordships the 16^th^ March) inclosed in a printed letter signed by him and Coll. Morris son one of the members present desiring to say something before the Speaker took the Chair he pulled out of his pocket & read a speech to the same effect as Van Dams letter having as I am informed

before they went to the house taken pains to prepossess them, & having finished his speech he produced a declaration which he read and then offered it to the members for them to sign, how much soever some of them might be startled they would not sign his Declaration whereupon he and some others left the house & there not being a sufficient number left to adjourn themselves the speaker came to me, acquainted me with what had past and desired me to adjourn them to the tuesday following hopeing by that time there would be a full house, which I did with the advice of the Council, tho' I have little hopes that they will meet till His Majestys pleasure be signified on Van Dams suspension. I was very solicitous all Thursday to get a copy of the Declaration hearing that it was a very extraordinary piece, but on friday I found I had little reason to apprehend it would be stifled for it appeared in Print & I do myself the honor to send it to your Lordships with M^r^ Van Dams letter served on Coll Philips one of the Assembly which he sent to me under cover of the inclosed letter from himself to me

I will not give your Lordships the trouble of my observations on these papers your Lordships will see through them at first view, this however I am bold to say that if his Majesty will be pleased to confirm Van Dams Suspension and to dismiss Alexander from the Council for without doubt it is with his advice that these very extraordinary things are done Van Dam himself being a very weak old man, the Assembly will resume courage to meet and act as they ought to do, it will break the spirits of a restless faction, reclaim the misguided to a sense of their duty, and restore quiet to the Province, Especially if his Majesty will likewise be pleased to confirm James de Lancy Esq^re^ in the Chief Justice Ship so that Coll. Morris may have no hopes of being restored, for in that & in the continuance of Van Dam & Alexander in this Councill is the faction kept alive. I perswade myself that your Lordships will think it absolutely necessary that some effectual orders be forth with sent to me in the mean time I will continue the Assembly on adjournments and preserve the peace of the Province

M^r^ Alexander tho' he has been constantly summoned ever since the Governors death has never attended the Council since that day that the Governor dyed, and when he was present, & acted after I was sworn, tho' he has since confidently denyed it in point — Inclosed I send your Lordships some proofs of it, I humbly recommend myself to your Lordships Protection and am with the highest honor & regard

My Lords

Your Ldps most humble

& most obedient Servant

sg^d^ Geo Clarke

President Clarke to the Duke of Newcastle.

[New York. S. P. O., VIII., 191.]

New York May 3^d^ 1736.

My Lord

After Governor Cosby's death I adjourned the Assembly with the advice of the Council, from the last Tuesday in March to the last Tuesday in April, as the season of the year would not sooner admit of their meeting, and then for two days more there not being a Majority in Town,

but on that last day to which I adjourned them, the Members in Town (being fifteen of the Twenty seven which compose the whole house) met, and having been severally served by Mr Van Dam with a copy of his protest against me and all that assist me (which I did myself the honor to send to your Grace the sixteenth of March) and with it a letter which I now inclose, young Morris Coll. Morris's son a member of the House desired he might be heard before the Speaker took the Chair, and made an harangue to the like effect as Van Dam's letter, and then pul'd out of his pocket and read, and offered it to the members to sign it, a declaration which was printed the next day with Van Dam's letter, and which I do myself likewise the honor to inclose, but tho the members then present would not sign it, yet they went away without makeing an house, and are so much intimidated that I doubt they will not sit till His Majesty's pleasure be signified on Van Dam's suspension.

Tho the letter, My Lord, be in Van Dam's name, and signed by him, he is to be considered as a weak old man given up to the management of Mr Alexander one of the Council and to young Morris in his father's absence, being perhaps ignorant of the tendency of these things that are done in his name, I will not presume to speak my thoughts of them to your Grace who can at one view see clearly into the design and consequences that must ensue if a check be not speedily put to them; but this I am bold to say that, if His Majesty will be pleased to signify his approbatian of Van Dam's suspension, to remove Alexander from the Council, and to confirm Mr De Lancey in the Chief Justice Ship, the Assembly will then sit and act as becomes them, the Spirit of faction will dye and the Province enjoy its former quiet, for it is only the hope of seeing Van Dam and Morris restored and Alexander continued in his seat at the Council Board that keeps the Mob of their side in expectation of favours.

I humbly implore your Grace to take me into your protection to put it out of Van Dam's power to ruin me as he will certainly attempt to do if he be restored, and to keep His Majesties best subjects, who are the most eminent and considerable men in the Province from falling under the power and resentment of the implacable enemies of the Government who in truth are in gross the meanest of the people.

There is nothing of such immediate necessity for the Assembly's sitting but what may be done by them in the fall, and by that time I presume to hope I shall have the honor to receive from Your Grace the signification of His Majesties pleasure. In the mean while I will keep them on foot by short adjournments preserve the peace of the Province and act with the utmost moderation in all things.

I shall be obliged, My Lord, to live at a very great expence not only to support the honor and dignity of the Government but to incourage and countenance all that are faithfull to it, I shall few or no opportunityes as others have had to make any money because of the opposition that Van Dam gives me I presume therefore to hope from your Grace's goodness and protection that his Majty will give me the whole salary, which will be no injury to a Governor he not being intituled to any but from his arrival here, and Mr Van Dam after Coll. Montgomeries death took it without the King's Warrant.

If upon the confirmation of Van Dam's suspension, the removal of Alexander from the Council Board and the confirming Mr De Lancey in the Chief Justice Ship, I have the good fortune as I am confident I shall to reclaim the people to their duty and to heal their divisions I likewise presume to hope that His Majesty will be graciously pleased to continue me for some time longer in the administration of the Government that I may not leave it poorer then I entered on it. If your Grace will be pleased to give me your protection.

I do myself the honor to inclose to Your Grace a letter from Mr Philipse Speaker of the Assembly to me covering Mr Van Dam's to him, this is the last and great effort of the faction, in every other part of my administration I assure your Grace I am easy, a Majority of the Council being with me in all things wherein their advice or consent is necessary, and the Province is general easy under it, and busines goes on as usual.

I beg leave to recommend my self again to your Grace's protection and to subscribe myself with the greatest honor and regard

My Lord

Your Grace's most humble most obedient and most dutiful servant

(signed) Geo. Clarke.

P. S. I do myself the honor to inclose to your Grace some proofs of Mr Alexander's absenting himself from Council.

To

His Grace the Duke of New Castle.

Speaker Philipse to President Clarke.

[New-York Papers, Ff., No. 35.]

New York 29th April 1736

Sir

I give myself the honor to acquaint you that this morning betwn the hours of 11 & 12 as I was going to attend my service in the General Assembly pursuant to the last adjournment thereof a pacquet was delivered to me in the City Hall by a Kinsman or apprentice of Mr Van Dam sealed up and beleiving It was intended to be communicated to the House I laid the same on the table in the Assembly Chamber but finding that the several members that had been there before me had been served with a like Pacquet I opened that which was delivered and Instant directed to me and found it to be a printed letter[1] from Rip Van Dam Esqre dated the 26th signed by himself & in it his Protest after some stay there only twelve members appeared, and it being reckoned up that there were three more in Town, the door keeper was sent for them and before the last of them came in it was asked whether they were not a number sufficient to make a house upon which Coll Lewis Morris Junr (member for the Borough of West Chester) replyed we are but begged leave to say something first and pulling two papers out of his Pocket He read first a pretty long speach tending to persuade the members that they could not legally sit or act and then a long declaration to that purpose which he proposed they should sign

I gave some reasons why I conceived we had as good a right to act now as ever the assembly had upon any adjournment heretofore and declared my resolution not to sign such a

[1] Entitled, "Copy of a letter from Rip Van Dam, Esq., to the several Members of that General Assembly of New-York, that stood adjourned to the last Tuesday of March, 1726, dated New-York, April 26, 1726, with report of the proceedings of the members of that meeting, at the City Hall, April 29, 1736." Folio, pp. 4. — Ed.

Declaration as Coll: Morris proposed, who thereupon said he would sign it tho' all the other members declined it, soon after which some members withdrew and others following no house could be made

I thought it my duty to apprize you of what has happened upon this occasion & send you herewith the before mentioned letter of Mr Van Dam beleiving it unnecessary to trouble you with the Protest

(Copy) I am

Your Honors mo' humble St

Geo Clarke Esqre AD PHILIPSE[1]

President Clarke to Secretary Popple.

[New-York Papers, Ff., No. 29.]

New York May 28th 1736

Sir

I had the honor to receive the Duplicates of your letter of the 23rd of Janry last on the 10th of May—It can not be denyed that Governor Cosby sate with the Council in their Legislative capacity it has been constantly done ever since I have been in the Province which is upwards of thirty years but I dont remember that a Governor has voted upon any question in the passing of a Law: I presume their Lordships will think it a reasonable excuse for Governor Cosby's sitting since he found it a practice for my own part I never thought it right but subscribed to it as other Councillors have done finding it a custom and supposing it to be well known to their Lordships by the Minutes of Council. If the Assembly should sit whilst I have the honor to have the administration of the Government in my hands I will certainly

[1] ADOLPHUS PHILIPSE, merchant of New-York, was second son of Frederick P. and Catharine Van Cortland, and was born in the year 1665. On the rumor that the French were about to attack Albany, he was sent in 1691 to Connecticut to demand assistance from that Colony. *Council Minutes*, VI., 34. He was called to the Council on the 7th of February, 170$\frac{4}{5}$, and in 1718 was appointed one of the commissioners for running the boundary line between Connecticut and New-York. In 1721 he was removed from the Council, on the representation of Gov. Burnet, for opposing the continuance of the Assembly after his Excellency's arrival. *Smith.* In the following year he was elected to represent the county of Westchester in the Assembly, and in 1725 was chosen Speaker. At the ensuing election in 1726, Mr. Philipse was returned one of the four members for the city of New-York, again elected Speaker and filled that chair until 1737. At the general election that year, however, he lost his seat; but Gerrit Van Horne, one of the members elect for the city dying soon after, an election was held to fill the vacancy, and in September Mr. Philipse was declared to be chosen. A great clamor ensued. Sheriff Cosby was accused of having committed the most barefaced villany in returning him, and the matter was brought before the House by petition. After a month's scrutiny, Mr. Philipse was declared member. The decision was important in some respects, for it was determined by the Assembly: I. That Jews could not vote. II. That non-resident freeholders had a right to vote. III. That such as were freeholders of forty pounds, three months before the test of the writ of election, were voters; but IV. A grantee of a mortgage in fee forfeited, who has been in possession of the mortgaged premises for several years, was declared not entitled to a vote by virtue of such mortgage. Mr. Philipse was reëlected Speaker in 1739, and occupied that office until 1745. *Journal*, I., 710–717, 750; II., 2. He died a bachelor in January, 1750, in the 85th year of his age, and at the time of his death was proprietor of the Great Highland patent, which included all of the present county of Putnam. *Blake's Putnam Co.*, 77. "He was a man," says John Jay, "of superior talents, well educated, sedate, highly respected and popular. Except that he was penurious, I have heard nothing to his disadvantage." *Depeyster Genealogy*, 118. — ED.

obey their Lordships command therein, and then the Bills which have hitherto been some times brought into the Council Chamber when the Council were sitting with the Governor but often so delivered to the Governor himself out of Council and afterwards brought into Council by the Governor will of course be presented to the Council and pass them before they be presented to me

As to the third point it is as true that the Governors have in their own name adjourned the Assembly. Some times on the close of a sitting they have called the Assembly before them in the Council Chamber, where in the presence of the Council having given their assent to the Bills then ready for it they have adjourned them but often so after the Governors have assented to the Bills they have desired the Assembly to return to their house and to adjourn themselves to a certain day which the Governor named: But whenever the Assembly have been adjourned by proclamation the proclamation has constantly been in the Governors name as all Proclamations of all kinds ever have been in this Province. I know no instance to the contrary Sometimes the Governors have issued the proclamation for adjournment with the advice of the Council, but often so without it. There have been but few Prorogations, and I have ever thought it wrong, I think there ought to be one every year to make a Session Those Prorogations have been by Proclamation in the Governors name too as the adjourments have been — Do me the honor Sir to assure their Lordships that I will ever pay the greatest deference to their Sentiments & the most punctual obedience to their commands, & yet I presume to hope that they will not think me wanting in either if when the Assembly is to be adjourned again I do it by Proclamation in my name as usual, and I will do it with the advice of the Council as I have hitherto done, for if I should issue a Proclamation in His Majestys name, it would be implyed and strongly urged by the faction fond of distressing the Government that the former adjournments were illegal, and that the Assembly is dissolved nor may the evil stop there, perhaps they may carry their reflections a great way back & argue that All Acts passed under the former method of adjournm^{t} are void, I should think rather, pardon Sir the freedom with which I speak my thoughts that if it be necessary to alter the method it would be more proper upon a new Instruction directing the stile of all Proclamations for the future.

I am with the greatest Respect
Sir
Your most obedient
humble Servant
sg^{d} GEO: CLARKE

Common Council of Albany to President Clarke.

[New-York Papers, Ff., No. 30.]

Albany 18th May 1736

May it please your Honor

The Mayor communicated to this Board your letter of the 11th instant directed to Captain Collins, whereby we perceive that you would have our opinion of a certain Tract of Land in

the Mohawks Country petitioned for Messrs Storke & Van Brugh Livingston to his Majesty. We therefore shall endeavor to give you our opinion of it and its consequence according to the best of our Capacity & understanding, In the mean while we join with your Honor in Opinion that there is a course left out, However we can partly guess where the Land petitioned for lyes, and are well assured that great part of said Tract is already Patented and we are credibly informed that there are several purchases made from the Mohawks in the regular method for part of sd Tract We are also assured that some of the Mohawks Indians are seated on part of it. But can not conceive that any of the Mohawks Flatts are included in those imperfect Boundaries We are confident that the method made use of by those Gentlemen first to obtain a Patent for Lands before a purchase made from the Natives will prove of ill consequence & alienate the Indians from His Majestys Interest & create great animosities & strife between them & us & in the end drive them[1] to the French So we most ernestly entreat your honor that you would in the strongest manner you can sett forth the ill consequences of such proceedings to the Lords of Trade & desire them to discountenance any such practices We are

May it please your Honor

Your Honor's mo obedient
humble Servants

Sgd Edwd Holland Mayor.
Cornelius Cuyler Alderman
Johannes Evert Wendell Aldn
Leendert Gansewort Aldmn
Tobias Ryckman Aldmn
Jacob Tien Eyck
Gerrit Brat
Antony Brat

Commissioners for Indian Affairs to President Clarke.

[New-York Papers, Ff., No. 81.]

Albany 17th May 1736

May it please your Honor

Sir

Capte Collins has communicated to us the Commissioners of Indian affairs, your letter to him of the 11th Instant whereby we perceive you desire our opinion concerning a Tract of Land Mr Storke & Mr Van Brugh Livingston has petitioned His Majesty for, and whether any of them be already granted to others, whether the Mohawks be seated on any part of it and whether the Mohawk Flatts be included in said Tract

We observe with you that there is one course left out but are certain that a great part of the Land we take to be petitioned for is already granted to others, & as we are informed

[1] from us. *Minutes of Common Council, Albany, N. Y.* — Ed.

some purchases made in the usual way tho' not yet granted by Patent and that some of the Mohawks Indians live upon part of it but do not think that the Mohawk Flatts are included therein But are humbly of opinion that that way of granting Land before purchasing from the natives may be of ill consequence and alienate the minds of the Indians from His Majestys Interest and occasion great divisions among the people of this Province We most ernestly desire that your Honor and Council will be pleased in the strongest manner to recommend to the Lords of Trade to discountenance such Practice

We are

May it please your Honor

Your Honors mo' obedient

humble Servants

	sg^{d} Mynder Schuyler
	Rutger Bleeker
Dirk Ten Broeck	Stevanus Groesebeck
In de Peyster	Abraham Cuijler
Edw^{d} Collins	John Schuijler Jun^{r}
Reyer Gerritse	John Lansing Jun^{r}
Con^{s} Cuyler	Edw^{d} Holland
	Nicolaes Bleeker

President Clarke to Secretary Popple.

[New-York Papers, Ff., No. 38.]

New York May 28th 1736

Sir

With the Duplicate, for the first is not yet come to hand of that of the 23rd of January I had the honor to receive your letter of the 25th of February last with a copy of M^{r} Storke & M^{r} Livingstons Petition for Lands in the Mohawks country a copy whereof I sent two days after to the surveyor General directing him to inform me whether any of the Land petitioned for by them be already granted, how much and to whom, who tells me he can not at present give me a satisfactory answer perhaps he may not be well acquainted with that part of the country. I therefore likewise wrote to Albany for the same information and whether any of the Mohawks are seated on any part of it, or whether any of the Mohock Flatts be comprehended within it and having received an answer thereto from the commissioners of the Indians affairs I do myself the honor to inclose it to you presuming it will give their Lordships full satisfaction in those points and to obey their Lordships commands in the rest I beg leave to make the following observations on the Petition and first, They pray to have the grant before they purchase the Lands of the Indians This is a practice so little known and so seldom used among us that I have heard of no more than two instances of it viz^{t} that in the Albany Charter, before the Revolution of the Mohawk Flatts mentioned in your letter to be surrendered by the Mohowks to the City of Albany in trust for themselves the other a grant

made by Mr Van Dam after Coll Montgomeries death to Mr Philip Livingston,[1] the Petitioner Livingstons Father and four others, of Lands in the Mohawks Country likewise, Livingston and the other Grantees of the Grantees[2] of the last mentioned Tract having in vain attempted in Coll Montgomeries time to purchase it of the Indians, took the advantage of Van Dams weakness, and got a grant from him without a real purchase but the Indians would never yet suffer them to possess it the Government in all other instances have been very careful not to grant Lands until they have been first purchased of the Indians knowing that they are impatient of such injuries and too apt on slighter occasions to shew their resentment of them, their Lordships know of how much importance it is to the British Colonies to tye the six Nations to our Interest, and I am confident they will discountenance every thing that may tend to alienate their affections from us

The Petitioners pray to be exempt from paying any Quitt Rents till the Lands come to be settled who would not on such Terms take Grants, and if such a Grant be made who will afterwards take them on any other Terms—Few who take Grants of Lands propose to make any immediate Profits of them, those who have Lands lease them out for ten or twelve years on a pepper Corn Rent and pay the Quitt Rents themselves from the date of their Patent which may be ten years more before they do lease it

The Petitioners intend they say to bring over Palatins to settle the Land but they don't propose to oblige themselves to do it, nor do they mention any time for it nor any number of familys, they forsee perhaps that a few years may people the Province from Germany Ireland and other Parts of Europe and are preparing before hand to lay in for themselves an estate on easy Terms, for Sir having often reflected on the great concourse of People that for almost twenty years have flocked to Pensilvania, from Germany and other parts of Europe and have informed myself of the nature of the Soil in General of that Province, of the price that the

[1] Philip Livingston, 2nd proprietor of the Manor of Livingston, was the son of Robert L. and Alida Schuyler, widow of the Rev. N. Van Rensselaer. He was born at Albany in the year 1686. In 1705 he accompanied his uncle, Col. Vetch, to Quebec, that gentleman having been sent with Mr. W. Dudley by the government of Massachusetts bay, to Canada, to procure an exchange of prisoners, and if possible to conclude a Treaty of Neutrality. *Hutchinson*, II., 141; *Post*, IX., 770, 776. He served in the expedition against Port Royal in 1710, and after the reduction of that place, was ordered to proceed with the Baron de St. Castine to Quebec, to communicate the articles of capitulation to M. de Vaudreuil. He set out accordingly in the middle of October, and went up the Penobscot river as far as Indian Old Town, where, had it not been for his companion, his brains would have been knocked out by an enraged Indian, because some English prisoners had run away with his canoe. After some time the party again started but had not proceeded far when the ice so shattered their canoes that they were obliged to continue their journey by land and to travel by compass through a dense and almost impassable forest, the greatest part of the way over broken and mountainous land. Six days before reaching the French settlements their provisions gave out and they were obliged to live on moss, leaves and berries. At length, after a most fatigueing march, they arrived at Quebec on 16th December, 1710. *Hutchinson*, II., 168; *Post*, IX., 854. Mr. L. returned to New-York and was admitted to the Bar on 31 Dec., 1719. *Commissions*, III., 197; in 1720 he was appointed one of the Commissioners for the management of Indian affairs, and in 1721 succeeded his father as Secretary of that Board and as clerk of the county of Albany, &c. He was called to the Council in May, 1725, and took his seat in October following. In July of the next year he, for a third time, visited Canada, as bearer of Gov. Burnet's despatch, complaining of the erection of a French fort at Niagara. *Supra*, V., 802. In 1737 he acted as president of the commission appointed to run the boundary between New Hampshire and Massachusetts, and in 1740 was named one of the board to determine the line between Massachusetts and Rhode Island; on which occasion, Hutchinson says, he had great influence. In 1746 and 1747 he was one of the Commissioners on the part of New-York to meet and coöperate with Commissioners from the other American colonies in measures for carrying on the war and securing the interests of the Indians. *Commissions*, III., 422, 436; *Hutchinson*, II., 359; *Belknap's New Hampshire*, III., 122. He continued in public life until his death, which occurred at New-York, in February, 1749. Mr. Livingston married Catharine, daughter of Philip Van Brugh, mayor of Albany, and had two sons and three daughters. Sarah, one of the latter, was the wife of General Lord Stirling, who served in the American Revolution. *Holgate's Gen.*—Ed.

[2] *Sic.*

proprietors sell their Land for & the Rents they reserve I concluded that if one could induce some familys to come to this Province from Europe, they would find the Lands so much better than any that are now bought of the Proprietors of Pensilvania and the Terms on which they may be bought or leased so easy that multitudes on their report of these things, would follow them. I drew up therefore some proposals, shewed them to Gov^{r} Cosby and having had his approbation & that of the Attorney and Surveyor General, we laid them before the Governor & Council in 1734 desiring they would make some resolves engag^{s} the honor & faith of the Government for the performance of the Proposals, as they very readily did & ordered them to be advertized printed dispersed in Europe but those being only printed papers some merchants in Dublin and Amsterdam desired that they may have the proposals under the Seal of the Government assuring us that they could then procure people to come In this we complyed and sent it to them last fall under the Seal of the Province, and under the hands of the Governor and Council and hope to hear further from them this Summer The proposals were these to grant no dealers of Land in the Mohawks Country in 200 acres to a family to the first 500 protestant families that shall come from Europe, the Grants to be made gratis and the Lands to be purchased for them the only difference that they are to be at (besides the Quitt Rent which is to commence from the date of the Patents) will be the Surveying it, which will be very little, we have already some Lands purchased which we design for this use if the people come in reasonable time: and this is such encouragement as Mess^{rs} Storke & Livingston can not give them and such as the[y] can not have in any other Province, for no proprietors will give away their Land when they can have twenty five pounds and more a hundred for them. By the proposals for giving away 100,000 acres I shall be at considerable expence, for parchment, wax, engrossing Books for recording the Patents and Certificates &c the Governor and Surveyor General at none at all for they will only sett their names to the Surveys and certificates, the Attorney General will only be at the expence of copying paper for the Drafts of the Patents The prospect of advantage to us arises from the Expectation that after these 100,000 acres are settled great numbers of people will follow who must purchase of the Indians and take grants at their own expence or if they are not able must become Servants to others who are able and will readily do it—Thus Sir, I have without disguise opened to you my design the advantage I propose to myself is at a distance, the publick benefit in the augmentation of the Quitt Rents, and the peopling of the Province near at hand, but nearest of all the profit to the Merchant in the Transportation of the people. This advertisement which contained the proposals was sent to M^{r} Guerin in London the Governors Agent to Mess^{rs} (Swoern?) Merchants in Dublin and to M^{r} Livinus Flackson merchant in Amsterdam to be printed and dispersed in Great Britain and Ireland, and in Holland to be translated into High Dutch and sent into all parts of Germany, the Germans are the most likely people of all these to set on foot the Hemp manufacture for which we have many Lands in the Mohawk Country very proper, but the first settlers being generally poor will want some further encouragement to enable them to begin that work and some skillful people to lead the way and shew others the best method of raising and dressing it: If these proposals had some publick Countenance at home, and that signified abroad, it would without doubt highly promote the design, I presume Governor Cosby acquainted their Lordships with it & ordered M^{r} Guerin to present some of the printed copies to them.

There is one line omitted in the Copy of the Petition that was sent to me wherein the description of the Land is thus, beginning at a certain Brook which vents itself into the

Mohawks River known by the name of Canada Creek being the Western bounds of Lands heretofore granted to John Collins and company computed to be forty miles Westward from Hudsons River, thence coming from the said River at the mouth of the said Brook northward in a direct line six miles into the woods thence extending south to the said northwest Spring and from thence Eastward along the Banks of the said River terminating at Canada Creek aforesaid Here I find but three lines which can neare make six miles square If by the said Northwest Spring be meant the Northwest Spring of the Mohawks River the Tract petitioned for will be almost one hundred and thirty miles in length, and six miles Wide which will comprehend almost all the Lands granted in the Mohocks Country on the Northside of the River but that can't be so understood, because you say the Land the Petition for is about Six miles Square, which must be six miles along the River from Canada Creek and six miles back into the woods it must therefore be some other Northwest Spring then that of the Mohawks River or the Petitioners would most grossly deceive the Crown

Since I begun to write this I received the enclosed letter from the Mayor, Aldermen & Common Council of Albany much to the same effect as the letter from the Comm^{rs} of Indian affairs and two of the Councillors informed me that M^{r} Philip Livingston,[1] the Petitioner Livingstons father) who is likewise one of the Commissioners of the Indian affairs being present when they wrote the letter to me declared to them that he would not for two or three thousand pounds that his son and M^{r} Storke should succeed & that he knew nothing of his Sons petitioning till the arrival of the last ships from London, but yet he would not sign the letter; without doubt he would not have made that Declaration had he not been sensible himself, and conscious that the Commissioners evidently foresaw the pernicious consequences that must attend the Grant.

Inclosed I send you Sir the Boundaries of a Tract of Land containing eight thousand acres which at first sight will evidently appear to be within the Petition I could send you the Boundaries of other Tracts likewise within the Petition but that I think this with the other Papers will be abundantly sufficient to satisfy their Lordships in what they expect to be informed

I am with all possible Respect
Sir
your most obedient
Humble Servant
Sg^{d} GEO: CLARKE

President Clarke to the Duke of Newcastle.

[New York. S. P. O., VIII., 199.]

New York May 29th 1736.

My Lord

In my letter of the 3^{d} of May a duplicate whereof I do myself the honor to inclose, I informed your Grace of the steps that were taken to keep the Assembly from sitting. I found

that they were too much intimidated for me to expect they would sit, and therefore I adjourned them with the advice of the Council to the first Tuesday in August, hopeing in the meantime while to receive from Your Grace the signification of his Majesties pleasure on Van Dam's suspension and a dismission of Alexander from the Council, being confident that when these things are known, and that Morrris will not be restored the misguided people will return to a sense of their duty and I shall put an end to the faction whose spirits are already much sunk upon their disappointment on the arrival of our London ships, for they confidently affirmed before their arrival that Morris and Van Dam were restored, but finding those reports had no foundation in truth they begin to think that the heads of the faction have all along amased them for their own private ends.

One of their main views and they have the two last sessions made some attempts for it, is by all means possible to get a dissolution of this Assembly before the present Revenue expires as it will do next year, being in hopes to get a Majority in the next, and resolved as they openly and avowedly declare not to give the Revenue longer then from year to year. If a new Governor comes before the present Revenue expires he will be under this dilemma, either to dissolve the present Assembly, or, not doing it, perpetuate the spirit of faction, but as they know it is not in my power to dissolve them they have no hopes of a new Election, and the further setlement of the revenue for a competent number of years may be obtained from this Assembly, and the disaffected may afterwards be brought change their present thoughts for others more temperate and dutifull; I take it to be my duty and yet I should not dare to mention this but that I presume upon your Grace's goodness to hope for pardon, I am carryed by the same hopes likewise humbly to acquaint your Grace that upon a new Election, if they get a Majority, they do not intend to setle even annually, the Revenue without first obtaining some concessions, that no former times have insisted on, some of which are these, they will declare the present Courts of Equity subsisting on his Majesties prerogative to be nul, and erect others by act of Assembly, they will pass an Act declareing that Judges shall hold their Commissions dureing good behaviour, they will have triennial Assemblys by a Law, they will make all Officers of the Crown their dependants, not only by their annual Salary but by retrenching their fees whenever they displease them, and who then can serve His Majesty faithfully and not starve. This is their present way of thinking but if they are for sometime kept out of the way of doing these things by the continuance of the present Assembly they will by good management be reduced to reason. I humbly presume to recommend my self to your Grace's protection, and to subscribe myself with the highest honor and regard, My Lord Your Grace's most humble most obedient and most dutiful servant

GEO CLARKE.

To His Grace the Duke of New Castle.

President Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 34.]

New York May 29th 1736

My Lords

Since the last which I did myself the honor to write to your Lordships of the 3rd of May A Duplicate whereof I now send, I have with the advice of the Council adjourned the

Assembly to the first tuesday in august finding that Van Dam's letter and Morris's declaration had wrought too strongly on their fears for me to hope for their sitting at this time. In the mean while they will I hope recollect themselves & resume courage of which I have no doubt if His Majesties pleasure be made known on Van Dams Suspension & Alexander be dismissed from the Council.

The Faction are much quieter since the arrival of our Ships from London, for the heads of them having before confidently affirmed that Morris was restored & that they expected to receive by the first vessel His Mâtys order for taking off Van Dams Suspension & being disappointed of both the people begin to suspect they have been imposed on, and prepare themselves to look for the signification of His Mâtys pleasure in another manner than their Leaders promised them and I am very confident that when I have the honor to receive them I shall be able to put an end to the present distractions and to unite the minds of the people in their duty & Reverence to His Mâty Governm^{t}

I have done myself the honor to answer M^{r} Poples letters to Governor Cosby of the 23rd of January & 25th Feb^{y} which I hope will be satisfactory to your Lordships

I have upon your Ldps letter to M^{r} Van Dam of the 4th of Feb^{ry} 173$\frac{1}{2}$ given to me by M^{rs} Cosby among other papers since the Governors death taken the oath of Chancellor & shall hold that Court as often as their is occasion

There is at present a deficiency in the Revenue of four thousands pounds the Assembly last fall resolved to provide for it at their next sitting, but as that will not be till His Majestys approbation of Van Dams Suspension be signified I humbly hope I shall soon have it. If this Assembly be not continued neither that deficiency will be made good by an other Assembly, especially if it be chosen before the Faction be broke, nor will a new Revenue be given by them but from year to year and that only on condition of having triennial assemblys the abolishing of the Courts of Equity subsisting by the Kings authority, Judges during good behaviour a dependancy of all Kings officers on them — This my Lords is the Scheme the male contents talk commonly of; If a Governor comes before the deficiency be made good and an other Revenue be given for a competent number of years he will be in a great Strait, it will be expected that he dissolve this assembly which has subsisted ever since Gov^{r} Montgomerie came. If he should dissolve them I have told your Lordships what must be expected from a new one at this time if he should not dissolve them he will perpetuate the spirit of faction They know I can't dissolve them and so don't expect it and I dare undertake that if it be His Majesties pleasure to continue me in the administration of the Government to get an other Revenue for a competent number of years before the expiration of this to have the present deficiency made good and to restore quiet to the Province I humbly recommend myself to your Ldps protection and am with the highest honor

My Lords

Your Lordships

most humble &

most obedient Serv^{t}

sg^{d} GEO: CLARKE

President Clarke to the Duke of Newcastle.

[New-York. S. P. O., VIII., 200.]

Duplicate New York June 12th 1736.

My Lord,

With this I do my self the to send to your Grace a duplicate of my letter of the 29th of May. Since that time nothing extraordinary has occurred to deserve your Grace's notice, unles it be that there appears daily a greater Calm in the Province, the misguided people having given over their expectations of hearing Van Dam and Morris's being restored and preparing themselves to hear contrary news. For my own part I beg leave to assure your Grace that I give them no cause of complaint, I open my arms to receive those who have been led astray, and I dare with more confidence than ever affirm to your Grace that upon the signification of His Majesties approbation of Van Dam's suspension, of Alexander's dismission from the Council, and of Morris's not being to be reinstated, the spirit of faction will soon disappear, the Assembly meet and do their duty, and quiet and concord resume their former seats, nor can any thing obstruct it but a speedy dissolution of this Assembly; That indeed will throw the people into fresh convulsions, and make an union more difficult to be brought about, especially if the dissolution be before the deficiencies of the Revenue be provided for and another Revenue given. The deficiency of the Revenue at present is four thousand pounds. The Treasurer computes that all the Revenue yet to come as it expires next year will not bring in more money then will be necessary to sink the Bills of Credit directed by the Revenue Act to be sunk. So that at the Expiration of the Revenue there will be a farther deficiency of above four Thousand pounds more, thus all the Officers of the Government will for more than two years be without a penny of their Salary, the main support of their familys, which will reduce them to the utmost necessities, and my fate will be worse than theirs for I shall not only live at an extraordinary expense, but must buy fire wood and candle for the Garrison, repair the Fort &c and pay all the contingent charges of the Government out of my own pocket. But if this Assembly be not dissolved as it is not expected from me that it should I make no doubt but that they will in the first place provide for the deficiencies of the Revenue, and afterwards give another Revenue before this expires without clogging it with those unprecedented demands which a new Assembly if the faction have a Majority will do: If this Assembly be dissolved before they have provided for the deficiencies of the Revenue a new Assembly chosen at this time will not make them good, nor give another Revenue otherwise then as I have done my self the honor to mention to your Grace. It is therefore I humbly presume of the highest importance to His Majesties service to keep this Assembly on foot till these things are done; a Governor may soon dissolve them (as it will undoubtedly be expected from him come when he will) this Assembly having sate ever since the year 1728) and haveing nothing to ask of a new one will have time enough by mild and gentle methods to reclaim the disaffected, if not done to his hand, and to unite the mind of the people.

To morrow Mrs Cosby embarks on Board the Squirrel Man of Warr for Boston, to go from thence to England in the station ship that the Squirrel relieves. I have done whatever has lain in my power to contribute to her ease, and I hope she has found the good effects of it: undoubtedly had Van Dam succeeded to the administration of the Government she would have felt the severest and most unjust persecution that ever Lady suffered. If he had any

just demand on Governor Cosby, which as Executrix Mrs Cosby is now liable to the Laws are open to him in England and he may see her there, if he does not it will I think be plain that all his pretences were calculated to make a clamor here, and to misrepresent Govr Cosby at home: and I dare affirm to your Grace that most if not all Morris's complaints are built on the same foundation.

I humbly implore your Grace's protection against the malice of the implacable enemies of Governor Cosby who will most certainly ruin me if Van Dam be restored, it is in your Graces power to prevent it, and I presume on your goodnes and justice to hope for it and humbly beg leave to subscribe my self

My Lord

Your Grace's most humble
most obedient and most dutiful servant
(signed) Geo: Clarke.

President Clarke to the Lords of Trade.

[New-York Papers. Ft., No. 37.]

New York June 12th 1736

My Lords

Since my last which I did myself the honor to write to your Lordships of the 29th May I have had the pleasure to see a dayly decrease of Faction. for my own part I give them no cause to complain, and I hope a mild and uniform conduct may at length put an end to the unhappy divisions in the Province. Some things however may intervene to defeat my expectations, but nothing is so likely to do it (except the restoring Van Dam & Morris) as a dissolution of the present Assembly before they have settled an other Revenue and provided for the deficiencies of this, which at present is about four thousand pounds and will be four more at the expiration of the Revenue which will be next year, unless made good before for the Treasurer computes that it will not bring in more money than will be necessary to Sink the Paper money directed to be sunk by it in that case all the officers of the Government will be undone for they will not receive a penny of Salary for two years and upwards and their Salary is the cheif support of their familys my case will be still harder, for I must live at a greater expence to support my character to countenance and encourage the friends of the Government &c I must buy firewood and candle for the Garrison repair the Fort and pay all contingent charges out of my own pocket If this Assembly be dissolved before these things be done, I have already done myself the Honor to inform your Lordships what is to be expected from another chosen now. It is therefore of the highest importance to his Majesties Government and to the peace and good of the Province to keep this Assembly a foot till they have done those things. A Governor may then dissolve them and it is most certainly expected he should, come when he will he will have time before him to gain upon the affections of the people before he will have any thing to ask of them, and before the expiration of that Revenue happens the Assembly may have something to ask of him, for which he may obtain a Settlement of the Revenue for a further term of years

I beg your Lordships to be assured that I have nothing so much at heart as His Majesties honor & Service and the Ease the Quiet & the Prosperity of this Province and that I shall spare no pains, nor grudge any expence to heal the unhappy Breaches and to unite the minds of the people & I dare promise a good event if I have time given me

Your Lordships, to whose great wisdom His Majesty has committed the care of his plantations will I am confident weigh what I have done myself the Honor to lay before you and it is from your Lordships Representation to His Majesty that I give myself the leave to hope for such orders as may support me in the pursuit of those good ends I have in view

I do myself the honor to send to your Lordships the minutes of the Council from the tenth of March to the twenty seventh of May & beg leave to subscribe myself with the highest honor and regard

My Lords Your Humble S^{t}
sg^{d} Geo: Clarke

President Clarke to Secretary Popple.

[New-York Papers. Ff., No. 38.]

New York June 18th 1736

Sir

Yesterday I received from M^{r} Coldens own hand who is now in Town the enclosed Map & Letter concern^{g} the Land petitioned for by Storke & Livingston You will perceive Sir, by the Map that most of the Land contained within the square of six miles is already granted, that which is ungranted of it is supposed to be scarce worth the expence of a Patent, the Petitioners therefore had without doubt some further view and most probably it was to get a Grant of all the Lands on that side of the Mohawks River about one hundred and thirty miles in length and six miles wide. If they had succeeded it would have opened a door to endless Law suits and contentions between them and the present Patentees and possessors of great part of those Lands, and purchasors from the Indians on valuable considerations of other parts not yet patented. It would hinder the Settlement of the country. Notwithstanding their pretence of peopling it it would rob the King in His Quitt Rents of nigh six hundred pounds a year and wo'd undoubtedly drive the Mohocks & Oniades two of the Six Nations from us to Canada; for the Oniades own the uppermost part of what is called the Mohocks country

We are in no part of the Province more careful not to grant Lands till they are first purchased of the Indians than in the Mohocks Country, the same caution ought always to be used, but I am persuaded their Lordships will discountenance all attempts to the contrary — I am with profound Respect & Honor

Sir

Your most obedient
humble Servant
sg^{d} Geo: Clarke

Alured Popple Esq^{re}

Hon. Cadwallader Colden to President Clarke.

[New-York Papers, Ff., No. 88.]

Sir

In answer to yours of the 10th of last month I send you a Map of that part of the Mohawks Country where I suppose the Lands lye of which Mr Stork & Mr Livingston have prayed His Majestys Grant in England, which Map is made from the Surveys of the Lands granted formerly by the Governors of this Province and which are lodged in my office It is not possible from the Copy of the Boundaries of that Land which you send me to lay the Boundaries down upon this Map or upon any other because something is omitted necessary to make the sense compleat: But as you say, Sir, that the letter which enclosed the Copy of the address sent you calls it a Tract of Land six miles square the prick't lines on the Map shew such a Tract lying to the Westward of the Canada Brook & on the Northside of the Mohawks River by which it appears that the greatest part of it is already granted, and as to what remains ungranted I am confident no man would pay for the fee of the Land one half the money that the charge of obtaining such a Grant in England must amount to. I therefore suspect (if I be right in guessing what is meant by the words *the said Northmost Spring* mentioned in the Boundaries sent to me) that the Petitioners are far from intending to obtain only a Tract of six miles square but rather an oblong Square as some call it of Six miles in Breadth and to extend the whole length of the Mohawks River upwards to its head. This indeed would [be] a vast Tract tho' I do not with certainty know the length of that River in number of miles and with the charge of obtaining the Grant of it free of the Quitt Rents till such time as it could be settled, but then it would contain at least thirty miles of Land already granted and settled

It is very difficult for the Kings officers, who live in the Province to guard against Frauds in petitioning for Lands described by natural Limits such as Brooks, Hills, Springs &c Tho actual surveys be made previous to the Grant because the names of such places being in the Indian Tongue are know to few Christians so that the Proprietors afterwards are sometimes tempted to put those names upon others places that they think more convenient for them & it is impossible for the superior officers to guard against the unfaithfulness of all those that they are under a necessity of employing in surveying lands especially in remote parts of the country. Now Sir if it be so difficult for the officers who live on the spot to prevent abuses how much greater must it be at such a distance as England is from us where the Satuation of the parts of this Province is not in any manner knowen & how great will the Temptations be to attempt Frauds. Indeed the common method of obtaining Grants of Land in this Country is at so easy a rate that I can not think that any man in this country would endeavor to obtain a Grant in England upon the usual Quit Rents unless he had some thing private in view which he thought could not be kept secret in this country

This method of granting Land in England if encouraged must of course be of great prejudice to the Settling of the country & the improving the uncultivated Lands for considering the expence person[s] who design to take grants of Lands in this Country must be at in purchasing from the Indians in making the previous surveys before the Grant passes and in passing the same as likewise in preparations to settle and improve, none or few will attempt taking a Grant in this Country, when it may happen that the same Lands are granted in

England notwithstanding that no man in the Country may have suspected any such Design in England as really once happened in the Case of the Equivalent Lands

The office of Surveyor General of Lands you know Sir is not of inconsiderable Trust & yet I have no Sallary from the Crown either here or in England but am left from[1] my encouragement & the subsistance of my Family to the Perquesites of my office which will be entirely or in a great measure lost if this method of granting Lands in England be encouraged which is a hardship such as I hope the Kings ministers are not willing to put on any officers of the Crown

Many more inconveniences may ensue from this method by raising vexatious suits upon Titles of Lands by irritating the Indians when Lands are granted without purchases &c which will naturally occur to you the Representation of which come more properly from you & which I beleive you think of such consequence to the Wellfare & Peace of this Country that you will not fail to set them forth

The answer Sir to the other questions you were pleased to put to me I beleive will arise from the inspection of the Map

I am

Sir

Your obedient

humble Servant

June 9th 1736 sgd Cadwallader Colden

Received June 17th

G C.

The Lords of Trade to the Lords of the Privy Council.

[New-York Entries, M. p. 29.]

To the Right Honble The Lords of the Committee of His Majesty's Most Honble Privy Council.

My Lords,

We herewith transmit to Your Lordships agreable to Your order of the 3d Inst upon the petition of Rip van Dam Esqr copies of two Letters which we have received from Mr Clark now Commander in Chief of the Province of New York dated ye 29th of March & 7th of April last together with Copies of the Minutes of Council at New York on the 24th day of November 1735 and the 10th of March 173$\frac{5}{6}$ as also a State of Mr Van Dam's case and the Opinion of His Majesty's Attorny Genll at New York thereupon, dated the 25th of Febry last and three printed papers entituled the New York Weekly Journal dated March 8th 1735 and March 29th 1736 and the New York Gazette from March the 28th to April 5th 1736 all which relate to the Suspension of the said Rip Van Dam from ye Execution of his Office of Councillor and ye settlement of ye administration of the Government for the time being, in the person of the next eldest Councillor Mr Clarke

[1] *Sic.* Qu? for. — Ed.

We further take leave to observe upon this occasion to Your Lordships, that it being a setled Instruction to all the Govrs of His Majesty's Plantations, not to suspend any member of their respective Councils without transmitting the Reasons for so doing to His Majesty and to this Board, We presume that what prevented the late Col. Cosby's Complyance with this Instruction upon Mr Van Dam's Suspension was his being then very ill in the sickness of which he afterwards dyed.

But Col. Cosby's Opinion of the said Van Dam and of the Necessity there was for removing him from the Council of New York may be collected from His former letters to this Board; and are stated in our Representation to Her Majesty of the 28th of Augst last, a Copy whereof is hereunto annexed to which we beg leave to refer Your Lordships for Your further Information in this Case. We are, My Lords,

Your Lordships most obedient
and most humble Servts
FITZ WALTER
T. PELHAM
M. BLADEN
ORLO BRIDGEMAN
R. PLUMER.

Whitehall
June ye 18th 1736

President Clarke to the Duke of Newcastle.

[New-York. S. P. O., VIII., 201.]

June 18 1736.

My Lord,

I have the honour to receive your Grace's letter to Govr Cosby of the 10th of October inclosed to me in one from Mr Oglethorp dated at Georgia the 11th of May, wherein he acquaints me that the Spaniards were preparing to dislodge them, that they had strove to corrupt the Indians to forsake His Majesty's alliance and had sent for a large body of Troops from the Havannah, but that they had neither Trading goods, Guns nor Powder to perform their promises to the Indians, nor food to support their Troops when they arrive, without they procure them from the English Collonys, That he was informed from Charles Town that the Spaniards have sent hither to buy provisions &c. and desired me to prevent it I called a Councill and layd before them your Graces, and Mr Oglethorp's Letters, and having advised with them of the properest methods to prevent any supplys from being sent to the Spaniards, I issued an order to the Collector not to clear any Vessell for St. Augustine, and a Proclamation forbidding all His Majesty's Subjects to supply the Spaniards with any stores of Warr, Trading goods or provisions.

I wish with all my heart it may have the effect proposed tho' I have cause to fear it will not, for the Vessells which at any time go to the Havannah or St. Augustine enter at the Custom House and clear for some English Collony, and it's supposed that a sloop so enter'd and cleared went to St. Augustine a few days before I had the Honour to receive your Grace's letter. I presume, My Lord, to think the most effectuall way to prevent succours being carryed

to St. Augustine will be to get the Carolina and the other nearest station ships to cruise and lye off that place to hinder the English vessells from going in.

I beg leave to assure Your Grace that I will upon all occasions give Mr Oglethorp all the assistance in my power, being of nothing so ambitious as the honour of obeying Your Grace's commands, and subscribing myself with the most profound submission and honour,

My Lord,

Your Grace's most humble most obedient and most dutiful Servant,

(signd) GEO. CLARKE.

Commission of George Clarke, Esq., as Lieutenant-Governor of New-York.

[New York Papers, Ff., No. 40.]

CAROLINE R: C: R

CAROLINE, Queen [Guardian of the Kingdom of Great Britain and His Majesty's Lieutenant within the same][1] To George Clarke Esqre Greeting. We do in his Majestys name, by these presents constitute and appoint you to be Lieutnt Governor of His Majesties Province of New York in America, you are therefore carefully and diligently to discharge the duty of Lieutt Governor by doing and performing all and all manner of things thereunto belonging, And all His Majestys officers and subjects whom it may concern are hereby required to obey you as Lieutt Governor of His Matys said Province, and you are to observe and follow such orders & Directions from time to time as you shall receive from His Majesty, His Governor of the said Province for the time being or any other your superior officer according to the rules and discipline of War in pursuance of the Trust hereby reposed in you. Given at the Court of Kensington the 13th day of July 1736 in the tenth year of His Matys Reign

By Her Maties Command

signed HOLLES NEWCASTLE

President Clarke to the Duke of Newcastle.

[New-York. S. P. O., VIII., 202.]

New York July 26th 1736.

My Lord,

I do my self the honor to send to your Grace a Copy of my letter of the 18th of June, I hope Mr Oglethorps apprehensions of hostilities from the Spaniards are pretty well over, for we hear nothing of it. I heartily wish succes to the setlement of Georgia on every account.

[1] The words within brackets are added from the Record in *Book of Commissions* (in the Secretary of State's office, Albany, N. Y.), IV., 96, in which the date of the Instrument is "thirtieth" of July, 1736. — ED.

If the people have their health they will in a few years be too numerous to fear any attacks from the Spaniards and become a strong barrier to Carolina, and I think those places that are frontiers both against the Spaniards to the Southward, and against the French to the Northward ought to have encouragement to extend their setlements, and to make them as populous as possible. It was principally with this view and to augment his Majesties Quit rents that I projected a Scheme to setle the Mohacks Country in this Province, which I have the pleasure to hear from Ireland and Holland is like to succeed. The scheme is to give grants gratis of an hundred thousand acres of land to the first five hundred protestant familys that come from Europe in two hundred acres to a family, these being setled will draw thousands after them, for both the situation and quantity of the Land are much preferrable to any in Pensilvania, the onely Northern Colony to which the Europeans resort, and the Quit rents less. Governor Cosby sent home the proposals last Summer under the Seal of the Province, and under his and the Council's hands, but it did not reach Dublin till the last day of March; had it come there two months sooner I am assured by a letter which I lately received, directed to Governor Cosby, that we should have had two ships belonging to this place (then lying there) loaded with people but next year we hope to have many both from thence and Germany. When the Mohocks Country is setled we shall have nothing to fear from Canada;—our Beaver Trade will be well secured, and greatly augmented, and the Navigation and Trade of the Province in general vastly increased, and the hempen manufacture set on foot, and I presume to hope the scheme will receive your Grace's approbation and protection. I have the honor to assure your Grace that the Heats and animosities which lately rage'd in this Province are so much abated that from one end of the Town to the other, nothing of complaint or party disputes, which were lately the whole conversation, are now talked of, and if neither Morris nor Van Dam be restored, I am confident that I shall restore the Province to perfect tranquility and to a more flourishing condition then ever. I may venture to assure your Grace, however vain it may appear, that the present good disposition of the people arises in a great measure from the opinion they have of me in a long experience. The main things that remain to be done to fix the quiet of the Province on a lasting foundation are to get this Assembly to meet, to make good the deficiencies of the present revenue and to setle another before this expires of which I have now a fair prospect. It is the present Assembly that must do it. If your Grace will vouchsafe to give me your protection, that I may be continued in the administration of the Government I will undertake on the forfeiture of my life to get the Assembly to do those things before this Revenue expires, which will be in September 1737, but if a Governor arrives before it be done, the Province will undoubtedly be thrown again into convulsions.

Zanger has lately published a vile paper highly reflecting on the memory of Governor Cosby, which would not have been writ I believe had not some warm spirit printed the Introduction to Morris's case with some observations on it, this enraged his Son or one of his friends who in revenge wrote this scandalous paper, the only one that has appeared a good while: their Spirits were sunk, they had nothing to say, and must be silent unles Bradford the other printer provokes them, which I will endeavour to prevent.

I humbly ask pardon for the trouble I give your Grace, and implore your protection, and have to subscribe my self with the highest honor, and greatest submission

My Lord

Your Grace's most humble most obedient and most dutifull servant

(signed) Geo: Clarke

His Grace the Duke of New Castle.

President Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 39.]

New York July 26 1736

My Lords

It is with the greatest pleasure I ever felt that I have the honor to assure your Lordships that the heats and animosities that lately raged in this province are now so much abated that those who before would neither converse nor deal with one another now do it with the utmost freedom Greivances and complaints which made all the conversation are no more mentioned and I'll forfeit my life if I do not again restore the province to as much tranquillity and to as flourishing a Condition as ever it enjoyed provided I have time given me for it. There is but one main thing wanting to finish what I have so happily begun which is to get this present Assembly to sit and make good the Deficiencies of the Revenue, and to give another before this expires, as it will september come twelve months. I have at the Request of the Speaker[1] and some other members adjourned the Assembly from the first tuesday in the next month to the second Tuesday in September all the intermediate time being the busiest Season in the year for the farmer—I have great hopes of their meeting & sitting at that time, though the signification of his Majesties approbation of Mr Van Dams Suspension should not come If they do sit I have no doubt of their making good the Deficiencies of the Revenue this Session and as little of their giving a further Revenue next year It is from this Assembly that we ought to expect it another will not do it and it is happy that His Majesty by His Instructions has put it out of my power to dissolve them without the Consent of seven of the Council which the people are sensible can't be got. In the Spring Van Dams protest & letter & young Morris Speach wch he read intimidated them, but I shall now guard against such things and prepare something for them before the day on which they are to meet in answer to those papers wherein I hope to set matters in a clear light I have born the heat of the day and humbly hope from your Lordships Protection & Interest to be continued in the administration of the Government till I shall put the finishing hand to the work of uniting the minds of the People and settling the Quiet of the Province upon a lasting Foundation

Mr Alexander continues to absent himself from Council having never once appeared tho' summoned every time since the day on which Governor Cosby died

I humbly recommend myself to your Lordships protection being with the highest honor & Respect

My Lords
Your Lordships
most humble & most
obedient Servant
sgd GEO: CLARKE

[1] See note 1, *supra* p. 60. — ED.

President Clarke to the Duke of Newcastle.

New-York. S. P. O., VIII., 208.]

New York September the 18th 1736.

My Lord

I humbly beg leave to inform your Grace that on the 14th instant about eighteen or nineteen of the Assembly coming to Town on my adjournment met in the House, but would not put the Speaker in the Chair, after some discourse they sent two of their members to me desiring a copy of the clauses in the Commission and Instructions relating to the Suspension of Councillors, I sent them to them; and then adjourned them to the next day; by that time they made up two and twenty of the Seven and Twenty of which the House is composed, and having debated the matter for some time, the Speaker not being in the chair, young Morris thinking he might carry away so many as would reduce the rest to a minority, as he did in the Spring, rose up and mad a feint to be gone, and three or four following his example called to some others to go with them, but all the rest keeping their seats, Morris and those who rose with him returned, and then the Majority agreed to send the Speaker and another of their members to me desiring me to adjourn them to the Second Tuesday in October, they assured me it would have a good effect, and I complyed.

I do myself the honor to send to your Grace the Papers which came out at this time, wherein the Malecontents objections to the legality of Van Dam's suspension and my administration are stated and answered. I was in hopes to have had the honor to receive from your Grace His Majesties approbation of Van Dam's suspension, which would have put an end to the faction. I am not without great hopes that the Assembly will sit in October and I promise my self succes in their proceedings as to the making good the Deficiencies of the Revenue.

If your Grace will be pleased to give yourself the trouble to read the inclosed papers printed by Zanger and a copy of a manuscript certified by the Mayor you will see to what a heighth of villany they are arrived, and yet they do not pretend any other cause, then that, I have usurped the administration of the Government, and it is no small satisfaction to me that I have given them no other cause of complaint, nor has there been since the Spring when the Assembly was to meet the least stirr or noise about the town till now, when they were about to meet again, all their strength is bent to keep them from sitting as the only thing left them to keep up the appearance of discontent, and to distress the Government, but I hope they will fail of their expectations, and then I shall be able to give your Grace a good account of the Province.

I have been obliged to say something, in those papers, wrote on the side of the Government, to keep me from being suspected to be the author, which nothing else could excuse, and I should blush to own, they have alredy had a good effect on the majority of the Assembly and on the people. I humbly beg leave to recommend my self to your Grace's protection and to subscribe myself with the greatest submission and honor, My Lord Your Grace's most humble and most dutifull servant

(signed) / Geo. Clarke

His Grace the Duke of New Castle.

President Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 54.]

New York Sept^{r} 20th 1756

My Lords

On the 14th Instant a majority of the Assembly met but would not put the Speaker in the Chair being resolved first to inquire into the legality of Van Dams Suspension and my administration being frightened and terrified by Zengers Journal they agreed to send two of the numbers to me desiring I would give them a copy of the clauses in the Commission and Instructions relating to the suspension of Councillors in this there was a pretty general concurrence both of my friends and opponents, of the first in hopes to convince the others, of latter on a beleif from the inclosed paper intituled Sentiments &c that I would deny them. I readily gave into their request and sent them in a few hours and then adjourned them to the next day by that time two or three more of my friends came to town: Some of those came with no good dispositions being convinced by the Sentiments &c and Bradfords Gazette begun to talk temperately and the Majority expressing an inclination to be adjourned to the second Tuesday in october they agreed to send their Speaker & another of their members to me with that request who being my friends assured me it would have a good effect. I did accordingly adjourn them to that day, they hope that I shall before that time receive the signification of His Majestys approbation of Van Dams Suspension, but if not they will they say, then meet and sit, I was obliged to give way to necessity and did it with as good a Grace as I could. Young Morris would now again have played over his Game of the 29th of April, he made a feint to leave the house and to carry off as many members as would have reduced the rest to a minority, but failing in his attempt he and three or four more that followed him sate down again. If the Assembly sits as its thought they will I hope soon to give your Lordships a good account of the Province.

I have been obliged my Lords in those papers wrote on the side of the Governm^{t} to say something from being suspected to be the author, which I should otherwise blush to say they have already had a good effect. I likewise do me myself the honor to send your Lordships some of the opposite papers by which you will see to what a height of Villany their pens go, but with all this it is a great pleasure to me that they have nothing to complain of but that they say I have usurped the administration of the Government. The Summer Leaf passed very quietly and so would the fall have done had I not called the Assembly together for which there is an absolute necessity, they know that that is the only way they can distress me, and they lend all their force to keep them from sitting but that point once gained of them, I shall soon put them to silence which will effectually restore the Province to its former tranquillity I humbly recommend myself to your Ldps Protection, and am with the most profound Honor & Regard

My Lords

Your Lordships

most humble and

most obedient Servant

(sg^{d}) Geo: Clarke

President Clarke to the Duke of Newcastle.

[New-York. S. P. O., VIII., 209.]

New York October 7th 1736.

My Lord

I am sorry that I have so soon occasion to give your Grace the trouble of another letter, but the faction having prevailed on Mr Van Dam's weaknes to a greater degree then could be imagined, I think my self bound in Duty to acquaint your Grace with it by presenting to you a copy of my letter to the Lords of Trade, with the papers therein referred to, presuming that they contain (if not a full account of all the folly and madnes of the faction,) enough to give your Grace a view of the present situation of affairs.

I beseech your Grace to be assured that I will never fail to maintain His Majesty's Royal Authority to the utmost of my power and to the last penny I have in world. Never was any man so distressed as I am, there is not a farthing in the Treasury, on the contrary there is a great deficiency in the Revenue, I am obliged to defray all expenses out of my own pocket, and shall continue to do so in support of the Government tho I and my family are thereby reduced to the utmost want, hoping from your Grace's [favor] and protection that His Majesty will be graciously pleased to continue me in the administration of the Government, there is no other way by which I can possibly be preserved from ruin, for if a Governor comes whilst I labour under a heavy load of debt which I am daily contracting in my present circumstances I can hope for litle relief from the Assembly, when I have no influence over them, and if this Assembly be dissolved, another will not make good the deficiencies of the Revenue nor give a new one especially if it be chosen before the faction be broke, and the people reclaimed from their madnes, and for that reason chiefly if not solely it is that all their strength is bent to keep this Assembly from sitting.

We are informed by private letters from Merchants in London that it is his Majesties pleasure that Mrs Cosby shall have a pension paid her by whoever succeeds Governor Cosby. I heartily rejoice at every instance of Royal favour to her, and cannot but think it a high act of Justice in recompense for her sufferings here. I have done my self the honor to congratulate her upon it, and humbly ask your Grace's pardon for presuming to mention it to you.

A few days will resolve me whether the Assembly will sit or no, if they do, as they promised on my adjournment they would, I have great hopes that I shall put to silence these seditious spirits, Your Grace I presume will readily believe that I have a very hard task, but I shall bear up under it, I hope, in such a manner as may justify me to His Majesty, and gain your Grace's approbation and protection.

I humbly beg and presume to hope that your Grace will be pleased to send me full powers and instructions to put an end to the present distractions and their pretended doubts, and I humbly propose it to your Grace's consideration whether it will not be proper that I should have on this occasion, a power to pardon Treason; Van Dam, Alexander and Smith have alredy trod very near it, and if they should go further and draw in many unwary people with them, I presume your Grace will think it necessary. If James Alexander, William Smith and Lowis Morris Junior the author of the seditious papers, with John Peter Zanger their printer were sent to England the spirit of faction would be intirely broke, but this at present I dare not venture to do without orders, being by His Majesties 45th instruction forbid to send

any prisoners to England without sufficient proof of their Crimes to be transmitted with them, and I have no other proof at present against any of them then the appointment of Corporation Officers by Van Dam, wherein it appears that Alexander assisted as a Councillor.

The printer on promise of a pardon might be a strong witnes and help us to more. By the next ships I hope to have the honor to acquaint your Grace that the face of affairs are then altered for the better. I humbly beg leave to recommend my self again to your Grace's protection and to subscribe my self with the most profound honor and submission My Lord

Your Grace's most humble

most obedient and most dutifull servant,

His Grace the Duke of New Castle. (Signed) GEO: CLARKE.

President Clarke to Secretary Popple.

[New-York Papers, Ff., No. 42.]

New York Oct: 7th 1736

Sir.

As the inclosed letters to their Lordships with the papers in them will be in your hands I forbear to give you the trouble of a repetition of them in this. You will see, Sir to what a height Faction runs and how eagerly these men would sacrifice the Peace of the Country to their own private views, and what an administration we should have had if Mr Van Dam had not been suspended, he was ever a weak man but now his great age makes him weaker—It is our great unhappiness that no orders have yet come to me from his Grace the Duke of Newcastle or from their Lordships, it is that that kept the assembly from sitting and made them desire this adjournment, in hopes I should have some in the mean while and it is to keep them from sitting that these virulent papers are published and these mad steps taken. All the Council that are in Town except Mr Alexander act very heartily with me and Doctor Coldens sentiments who has been for some time in the woods surveying and intends to be here in about ten days are best known by his own words I had a letter from him to day dated the 27th of the last month wherein is this passage which my present situation warrants me to transcribe "Your prudence, Sir, and patience in the conduct of the publick affairs gives me "much pleasure, your persevering in the same method I think can not fail of success unless "prevented by foreign accidents which a wise man can not guard against, may you receive "your reward in the good effects of restoring peace & contents to the Inhabitants of this "Province, and I shall for the promoting these good purposes do every thing in the power "of Sir &c"

I hope their Lordships will now think it highly necessary that Van Dams Suspension be confirmed and expressly declared to be so from the beginning Alexander dismissed and Mr John Moore & Mr Paul Richard appointed in their Room and I presume to ask your favor in it you will see, Sir, their way of writing, and I hope that whatsoever orders are sent, they may be so clearly expressed that those men may be driven from all their shifts, but I ask pardon for interposing my opinion and beg you will be so good to move their Ldps to some speedy & effectual Resolution

Pardon me, Sir, for presuming to enclose to you my letters to Mr Walpole Coll Bladen and Mr Le Heup I was afraid some trick might be plaid me, if I had sent them single and I know not which way to guard against it so well as this and as they relate to the publick affairs, I the more assuredly hope you will forgive it

I am with great respect & honor
Sir
Your most obedient
humble Servant
sgd GEO: CLARKE

President Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 43.]

New York Oct^{r} 7th 1736

My Lords

On the 18th of the last month we had by the Post the news of Morris's being arrived at Boston the faction were busy contriving ways to keep the Assembly from Meeting on the adjournment I gave them at their own request, they thought if the Corporation of this city questioned my authority and refused to submit to it it would have a great influence upon the members; the Majority of the Corporation being entirely at the Beck of the Faction and for the most part men of Low class were easily persuaded to their measures, the anniversary day whereon the Gov^{r} or Commander in cheif nominates the Mayor Sheriff and Coroners viz 29th Sept^{r} being at hand the Common council met & sent the Mayor & Town Clerk to me to desire I would appoint no officers for the ensuing year or to appoint the present ones for by the Charter they are to continue till new ones are sworn they delivered their message and told me but not by directions, that the Common Council intended to present a memorial of which they had a draught ready prepared, desiring me not to appoint & to present the like to Mr Van Dam pretending that they were fearfull of their Charter if they should accept of any officers appointed by me and His Majesty should think fit to replace Mr Van Dam, when in truth this was only a fetch to get some acknowledgement that I doubted of my authority and then to spread it abroad to keep the Assembly from meeting I returned an answer to the Message that I would to the utmost of my power protect the City in all their just rights liberties and priviledges and in the nomination of such officers as are to be appointed by me I would make the directions of the Charter the rule of my actions and hoped no man would attempt any innovations that may be prejudicial to the city, two days after I gave that answer they held an an other Common Council and sent some of their members to Mr Van Dam to ask him if he would appoint who told them as I am informed that when the day of nomination came on he would let them know what he would do, the 29th of Sept^{r} came but no memorial I summoned his Majesties Council in the morning as usual & by their advice appointed the officers of the present year for the year ensuing and sent a copy of the minute of Council to the Town Clerk the same day Mr Van Dam sent as I am told to the Aldermen acquainting them that he intended that day to appoint their officers and in the afternoon summoned me and the rest of

the Council by a door Keeper whom he that day appointed to meet him in council at his house but none went but Mr Alexander who has never since the day of Govr Cosbys death tho' constantly summoned appeared in Council with me what Van Dam did will appear to your Lordships by the enclosed paper No A[1] the next day I held a council again and we went[2] to the Town clerk for that attested copy and ordered a Proclamation to be drawn which being prepared against the afternoon was then in council referred to a Committee who the next morning laid it before the board where it was again read with the amendment the Committee made to it and ordered to be issued No B. So soon as it was known that Van Dam had taken this extraordinary step the council thought it high time for me to remove from my house in Town into the Fort where I now am, what, or whether the Faction have any encouragement from Morris to go this length I can't tell most people imagine that letters have passed between him and them since his arrival at Boston and suppose that his journey hither has been put off on that account this is certain that they have in their weekly journal published by their Printer, Zenger endeavored to persude the People that every man has a right to judge to whom the administration of the Government belongs that if a Governor misbehave himself they may depose him and set up an other in consequence whereof they prepared a paper and on the 29th of September in two of their wards got the people when they were voting for aldermen to sign it, the other five wards did not nor would not sign it—I despair of getting it or a copy of it and all the account I can get of it is that they declared Mr Van Dam has the Right to the administration of the Government in some of the wards the aldermen refused to offer it to the People and tho it was notwithstanding spoke of to them by others yet the people would not sign it, it has been said (as I have been informed) by several of the faction at several times that Morris had done what he could but since he could not be heard and that they could not have justice done them at home, they must do themselves justice heare they talk of making a sacrifice in Zingers journal No C and of murdering me for my usurpation of the Government as they call it No D, I own I am much surprised Van Dam should by any means be drawn so great a length, tho' I know he is a very weak man and it is universally talked on and beleived in Town that Alexander and Smith two Lawyers and the first one of the Council gave him their opinion in writing in very positive Terms that the administration of the Government properly and lawfully belonged to him and that it might have the greater weight Alexander gave his opinion upon oath the day that Van Dam nominated the city officers, but of this I have no proof however it is generally & firmly beleived, & that this way the drew him into that unwarrantable step, your Lordships may be surprised that so many months having passed since I have had the administration of the Governmt in my hands & none of these extraordinary steps taken by Van Dam he should now act in this mad manner, the reason is they know there is no way by which they can distress the Government so effectually as by hindering the Assembly from sitting and have great cause to apprehend that if they should sit the eyes of the people will be opened, they will see for themselves and be no longer led by those who have hitherto misguided them, they had hopes from the Precipitate

[1] The following is a copy of this paper:—"New York, September 29, 1736. His Majesty's Council of the Province of New York being duly summoned to attend me in council, as commander in Chief of the Province, and James Alexander appearing, and the rest neglecting to appear according to the said summons, so that a quorum could not be made to give me their advice concerning the appointment of the following magistrates of this city; I have, in their default, appointed Cornelius Van Horne, Mayor; William Smith, recorder; Richard Ashfield, sheriff and Richard Nicolls coroner, for the ensuing year. Rip Van Dam."—Ed.

[2] *Sic.* Qu? sent.

Behavior of the Assembly in the Spring that they would meet no more but when contrary to their expectations they found they came together in September that the acted more rationally and that the majority sent to me to desire a short adjournment (in hopes that I should in the mean time receive some orders) for notwithstanding Zengers audacious denyal the majority did send the speaker & an other member to me, they resolved to make a bold push and at any rate to attain their ends & the anniversary day for Election of Aldermen & common Council & for the nomination of the mayor &c being to come about during the time of this last adjournment they thought no season so favorable as that, I am fully perswaded that if the Assembly sit I shall be able to break the Neck of the Faction and get the deficiencies of the Revenue made good, and I am bold to affirm to your Lordships that if the Assembly be not continued till the Province is restored to its tranquillity an other Assembly will neither make good the deficiencies of the present Revenue nor give an other, but by their presumptuous attempts on His Majestys Royal Prerogative will throw the Province into the extremest convulsions

These City officers to whom Van Dam has nominated talk of acting but how he will give them commissions I can't see I have the Seal Commission & Instructions he must either grant the Commissions in his own name or in the Kings under his own Seal I beg your Lordships to be assured that it shall be my first & principal care to reclaim the People by mild methods without departing from my duty or prostituting His Mâtys Authority. The Defection is cheifly confined to the City where the Ring leaders of the male contents dwell we hear nothing of it from the Counties. If there were not two companies of the Kings forces in Garrison here the Faction would probably take arms but fear I beleive restrains them now

I think the Ring leaders have already gone too far & if they should go further and draw unthinking and ignorant people in with them, I humbly presume that it will be necessary that I should have power and Instructions to pardon Treason I am forbid by His Matys 45th Instruction to send home any prisoners without sufficient proof of their crimes to be so transmitted with them and I have no regular proof but Zengers papers & Van Dams appointment of the City Officers If James Alexander, William Smith and Lewis Morris Jr the authors of those papers with their Printer Zenger[1] were sent home it would put an [en]d to the Faction & Zenger on promise of Pardon might be a strong witness & direct us to others

Your Lordship's will see No E & F. That Alexander has been duly summoned and never appeared in Council since the last affidavits of this kind that I did myself the honor to send to your Lordships, I humbly recommend myself to your Lordships Protection and am with the greatest Honor

My Lords
Your Lordships
most humble and
most obedient Servant
Sgd GEO: CLARKE

[1] JOHN PETER ZENGER was born in Germany in the year 1697, and arrived in New-York in company with Johanna, his widowed mother, a brother and a sister, in the summer of 1710, being one of the Palatines sent out that year by Queen Anne's government. On the 26th October following, being then in his thirteenth year, he was bound apprentice to William Bradford, Printer, for the term of eight years. After his time was expired he set up business on his own account, and in 1733 began the publication of the New-York Weekly Journal. It was the second newspaper established in the province, and, being opposed to the government, was prosecuted and publicly burnt. Zenger himself was imprisoned. He died in 1746, leaving his paper to be printed by his widow. — ED.

President Clarke to the Duke of Newcastle.

[New-York. (S. P. O.) VIII., 222.]

New York October 14th 1736.

My Lord,

I beg leave to do myself the honor to inform your Grace that on the 12th instant the Assembly met according to my adjournment, and spent that day in debating the legality of my administration, without putting the Speaker in the Chair, I adjourn'd them to yesterday, when they were to put the question whether or no they should sit and act, it is thought, and some of them told me, they should be able to carry the question for sitting, however early in the morning before the House met, I had the honor to receive Her Majesties additional instruction dated the first of June directing the form of Prayer for the Royal family, I immediately summoned the Council and in their presence opened it, and the news being presently spread through the Town most of the Assembly came to me to whom I shewed it, They expressed much joy, went strait to the House, put the Speaker in the Chair, and adjourned themselves to this day, when I sent for them as usual, and made my Speech to them, they appear to be very unanimous, and I hope a good effect from the Session, which the season of the year will make very short. The universal gladnes that appeared on my receiving that Instruction was as great as ever I knew it, and I hope the Spirit of faction is now intirely broke. The Corporation came all to me to day with the Mayor whom I swore as usual in their presence, tho three only of their Aldermen are by their Charter to attend him.

The first day the Assembly met they asked Morris if he knew of any Orders or Instruction prepared or preparing for me, he stood up and in a solemn manner declared that he knew of none, and believed I should have none, and tho we had an account from Boston soon after Morris's arrival there, for he came that way, that he and his son had said that Van Dam was not restored, nor he believed would be till a Governor arrives, that in the mean time the Government properly belonged to me, and that the son said he saw this very instruction made or making out for me, and that he offered to bring it, yet the son deny'd it all in Zangers Journal of the 11th instant, and said he believed that I should have no such orders nor any other order relating to the Government. These confident declarations of the Father and Son startled the Assembly, and confirmed the disaffected people in their opinion that the administration of the Government belonged to Van Dam, who, it's said was resolved on this day to swear the Mayor and other officers whom he had appointed into their places, which might have been attended with fatal consequences, for I must have maintained His Majesties Royal authority, and have protected and assisted his magistrates, but the Instruction came very opportunely to prevent evils, and to give the people who before favoured him a vile opinion of Morris.

Tho' it is much in my nature to act with gentlenes, and to forgive private injuries. Yet I think so many bold and daring insults on His Majesties Government and some of them very near if not, High Treason call for some severer notice. I pity Van Dam and heartily wish he could be distinguished from the rest, for he is really incapable of judging for himself, and has been wholly guided by Alexander, Smith, Morris and his son, I wish I could say that it is not generally believed that Captain Morris has had as great a hand in keeping up the spirit of faction as any man, but of that I have no regular proof, Mrs Cosby knows his behaviour very

well. It is believed that Alexander will apply in England for his Majesties pardon, but surely, My Lord, no man ever deserved it les, 'tis to him as much or more than to any one that all the past sedition is owing Van Dam has been only a tool in his hands, and I presume to think is to be considered in this case as an Idiot, he is alredy severely punished in his purse for Morris, Alexander and Smith have undone him he is an object of His Majesties mercy and I truly wish he had it, notwithstanding he would have shewn me none had I been in his power; for the others, they may be punished and no man pity them, for even the mob who lately favoured them for Van Dam's sake, would now for his sake too, see them fall without regret, so sudden a turn as things have taken is rarely seen, every man rejoices or seems to rejoice on the occasion, those who two days ago cryed Hosanna to Morris, now cry crucify him. I humbly beg your Grace that I may have orders how to proceed against these delinquents, at present I am pleased with the happy turn without appearing to have further views lest too many should be driven to despair, but when things are setled, and the memory of them grown staler, I shall then be able without fear of new disorders to execute what commands I receive. A Gentleman who is going to Boston waits for this where I hope it will find a conveyance, I therefore intreat your Grace's pardon for whatever faults my haste may have committed, humbly imploring your Grace's protection, and leave to subscribe my self with the greatest submission and honor,

My Lord,

Your Grace's most obedient
and most dutifull servant
(signed) GEO CLARKE

President Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 47.]

New York Oct. 18th 1736

My Lords

It is with pleasure not to be expressed that I do myself the honor to inform your Lordships that when Morris & his son, Smith & Alexander had wrought the people to a pitch of Rebellion and they were the next day determined to commit some open act, I had the Honor on the 13th Instant to receive Her Majestys Instruction directed to me ordering the form of prayer for the Royal Family I immediately summoned the Council opened it in their presence and communicated it to them the members of the Assembly were then going to meet to determine whether or no they would sit but hearing of the Instruction most of them came to me to whom I shewed it they went strait to their House put the Speaker in the chair and adjourned to the next day when I sent to them & spoke to them as your Lordships may be pleased to see by the inclosed telling them after I had made my speech that the council were to sit by themselves without me — So sudden a Turn and so universal a joy upon the Signification of the Instruction are rarely heard of, the common cry now runs against those others that I named every one pitys Van Dam, & so do I too he has been misled by them who took hold of his

weakness. I hope whatever orders are sent to me about the others he will be favorably dealt with

The Assembly have but a short time to sit because of the approaching winter the tenth of November being the latest day that Sloops venture up the River what they will be able to do in that time I can't tell they are in a very good temper and I am perfectly easy in my administration and make no doubt if His Majesty will be graciously pleased to continue me in it for a time, I shall be able to put the Province in a more flourishing condition then it has hitherto known I humbly recommend myself to your Lordships Protection and am with the highest honor and regard

My Lords

Your Lordships

most humble and

most obedient Servant

sg[d] GEO: CLARKE

Lords of Trade to President Clarke.

[New-York Entries, M., p. 82.]

George Clarke Esq[r]

Sir,

We have received Yours of the 3[d] & 29[th] of May, 12[th] of June 26[th] of July, and have seen what you wrote to our Sec[ry] in Your letters of the 28[th] of May & 18 of July last, We have also received the several papers you therein mention to be inclosed, and we cannot but congratulate you upon the tranquility which seems in a great measure to have been restored to the province by your prudent and steady conduct during the time that some people were using all possible means to disturb your administration. We hope that by this time you may have received his Majesty's Commission appointing you Lieut Gov[r] of the Province and that you may soon be enabled to induce the Assembly to raise a proper Fund to supply the Deficiency which you mention in the Revenue of the Province, as also to pass an Act for raising another before that at present subsisting shall expire.

We shall be glad to hear by Your next Letters what progress has been made in the Proposals you mentioned to us in Your Letter of the 28[th] of May last, for making a settlement of foreign Protestants in the Province So we bid you heartily farewell, and are

Your very loving friends,

and humble Servants

FITZ-WALTER

THO: PELHAM

COL[o] BLADEN

M[r] PLUMER.

Whitehall

Octo[br] y[e] 21[st] 1737

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York. S. P. O., VIII., 225.]

New York Nov. 23d 1736.

My Lord.

On the 29th of the last month I had the honor to receive Her Majesty's Commission appointing me Lieutenant Governor of this Province, and beg leave to return your Grace my most humble thanks for your protection. The Assembly were then sitting but as their meeting was put off by the arts and intrigues of the faction, and their own fears, till it was late in the fall, the short time they had left was not sufficient for them to enter into an inquiry and to make good the deficiencies of the Revenue, they resolved however to do it the next summer. I put on the best face I could and parted with them without expressing any dissatisfaction and they seemed much pleased that I had given my assent to their Bills, it being insinuated that I would not.

The faction being broke, the people grow daily more sensible of the danger that Morris and a few more had brought them into and of the happy escape they have had, for without doubt had not Her Majesties Instructions to me come on the day it did, the next would have involved them in open Rebellion, Van Dam would have sworn the City Officers, whom he named, and I must have supported those of my nomination, and have sent a detachment of the Garrison to have protected and assisted them in quelling the tumult that was threatened and would most certainly have been raised on that occasion. Happy for them that so unexpected a stop was put to their madnes, and that Morris's designes are discovered, he can no more delude them but is become the object of their passion which they express in the sharpest terms, even Van Dam whose cause Morris espoused exclaims loudly against him for having imposed upon him and threatens to sue him for some money he took up in England in his name of his Correspondent. In a word, My Lord, the face of affairs is wonderfully changed for the better, the people seem perfectly contented, and the hopes of a few desperate men, are all placed in the expectation of seeing a Governor soon come from England, imagining that in that event they shall be able to revive a troublesome spirit, but I do with confidence assure your Grace, that if His Majesty will be graciously pleased to continue me in the administration of the Government, and it's enemies have no room to perswade the people that they will soon see a change, I shall be able to restore them to as much unanimity, content and happynes as they ever knew, and the Province to a more flourishing condition then ever. As to my self I beg leave to inform your Grace that I have been obliged to live at a very extraordinary expense to attain those ends, and that I have been obliged too, to defray all contingent charges of the Government out of my own pocket, not having received one single shilling from the Treasury, since Governor Cosby's death, and must go on in the same expensive manner till the deficiencies of the Revenue are made good. It is a very heavy weight upon me, and will inevitably undo me if I am so unhappy to be removed from the administration of the Government before those deficiencies are made good. But I humbly hope from your Grace's great goodnes and compassion that you will give me your protection and save me from ruin, in those hopes I shall go on with cheerfulnes at whatever expence it be to finish the work that is so happily begun presuming that I cannot do a greater service in my present station nor recommend myself more effectually to your Grace.

The Council and Assembly having joined with me in an address to His Majesty on His Royal Highnes the Prince of Wales's nuptials, I do myself the honor to inclose it to your Grace praying that you will do us the honor to present it to His Majesty. I humbly recommend my self again to your Grace's protection, and am with the most profound submission and honor

My Lord

Your Grace's most humble
most obedient and
most dutifull servant
(Signed) GEO CLARKE.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Ff., No. 48.]

New York Nov 27th 1736

My Lords

In my letter which I did myself the honor to write to your Lordships the 18th of October I acquainted you that I had received Her Mâtys Instruction directing the Form of Prayer for the Royall Family but not having then time to inform your Ldps particularly of affairs I beg leave now to give you a plain and further narative

When Morris first arriv'd at Boston not knowing how things stood here he owned that the administration of the Govern^mt would remain in my hands till the Kings pleasure should be knowen and his son who came with him said he saw the Instruction mentioned made out for me in one of the offices at home that he offered to bring it but was refused, but said that it would be sent to me in Pajecoes Ship this Piece of news was inserted in our Gazette hoping some good effect from it But Morris had not been long at Boston before he and his son changed their note and denyed what they had before said whether upon the informations he might receive from his friends here of the measures they were taking to keep the Assembly from sitting, or upon discoursing his son in Law Capt^n Norris who went to Boston to him I don't know tho' the circumstance of time in which they changed their note happened to be just after Capt^n Morris arrived at Boston however it was the design was about that time laid to prevail with M^r Van Dam to appoint a Mayor and other officers for this city and the like for Albany which he did on the 29th of September that being the anniversary day for that purpose, tho' they are not sworn into their office till the 14 of october about the ninth of October Morris came to Town being met by M^r Van Dam & many of His friends with whom he marched thro' the Streets to a tavern where a supper was prepared. Morris I am told seemed surprized that M^r Van Dam had not the administration of the Government in his hands assured them it belonged to him complimented him drank his health and addressed himself to him by the Title of the President of the Council and commander in Cheif of the Province in so much that those who were present at the supper expected every moment to see him produce some orders for that purpose, before the company broke up Morris made a long Harangue to incite the

People to persist in their measures against the Govern^{mt} concluding his speech thus, let us stand by one another and hang them or they will hang us, on the 12th of october the members of the Assembly who were in town met to debate whether they should sit Morris who was one of them bringing a great number of People with him & throwing open the door of the Assembly room hoping by the appearance of so many to deter some of the members who were for sitting, but the majority carrying it for shutting the Door they entered on the Debate wherein M^{r} Van Dam's and my right to the administration of the Government was canvassed, Morris argued strongly for M^{r} Van Dam and among other things said that he was so well assured of M^{r} Van Dams Right that if he would give him a Commission he would act under it. This confident Speech delivered by a man just come from England and who it was supposed knew how the thing was understood at home staggered some good men but there being more members expected in Town that evening they put off the further debate till the next day, but early in the morning of that day before the members were to meet Pajecoes ship came in and brought the Instruction, so surprizing an event astonished the whole Faction, every man then saw plainly the truth of what had been wrote from Boston, that that Instruction would be sent to me in Pajecoes ship and were highly enraged with Morris for thus imposing upon them blinding their eyes and leading them to the Brink of Rebellion and destruction, Morris finding the Storm gathering against him hoped to weather it by his Affidevit which he took denying that he knew heard of or beleived that, that Instruction would come directed to me, & his son swore too that he never said at Boston what I have before mentioned, however the Events happening Just as they were said they would in Bradfords Gazette, established the truth of what was there said beyond all doubt & every one beleived the Father knew of it as well as the son, thus instead of clearing themselves they made all the world nay, all the Faction look upon them as perjured wretches & the vilest of men & are fallen never to rise again: that a tumult would have ensued and overt acts of high Treason would have been committed the next day will I presume be evident to your Lordships from Hence for that the next day Van Dam would have sworn his Mayor and other officers into their offices I must have done the like to those of my nomination, there being then two setts of officers each would have acted, the people were prepared to support M^{r} Van Dams, I must have supported mine who would have sent to me for assistance and I must have sent them a detachment from the Garrison both to protect them and assist them in quelling the Riots in which many lives on both sides would have been lost and many more been guilty of high Treason—but if it should be said all this was done only to keep the Assembly from sitting and that M^{r} Van Dam would not have sworn them let it be considered that had that only been their intention they would not have put him upon sending Commissions to Albany for the Mayor Sheriff and Recorder of that city with a dedimus to swear them on the same day, which he could not recall, for fearing the Sloop by which they were sent would not arrive time enough they ordered the Master of it to send it express by Land if he saw there was occasion and the Master finding he could not reach Albany in time did send them by an express wch arrived there the night before they were to be sworn, however they were wiser than those who sent them and would not qualify themselves, but that Van Dam could not foresee nor could he have recalled in time his dedimus or Commissions and that there was no tumult or Rebellion at Albany is not owing to Van Dam or his advisers for poor man he is not capable of judging for himself & is much to be pitied and if it be true that Alexander Smith & the other Ring leaders of the Faction here were (as I am told they declare they were) kept in the dark as to the Instruction & encouraged by Morris to go the lengths they did the blame will

all lye at his door—The Instruction coming so seasonably the Assembly met the same morning and put the Speaker in the Chair, the season of the year could not suffer them to sit long and from thence and for want of having the Treasurers accounts they have put off the providing for the Deficiencies of the Revenue which are very great to the next Session this was a cruel stroke to me who are already above a thousand pounds out of pocket without hav^{g} received a single shilling from the Treasury since Brigadier Cosbys death, or a possibility to receive a shilling till the deficiencies are made good, I am obliged to live at a great expence and to pay all contingent charges out of my own Pocket, and if a Governor should be appointed before that be done I am innevitably ruined nor is there any other possible way to revive the spirit of Party or to prevent me from establishing the Peace and content of the Province fixing it upon as sure foundation and making it a more flourishing country than ever and this I dare undertake to do at the hazard of all thats dear to me if His Majesty will be graciously pleased to give me a further continuance of the administration of the Government, but if a Governor comes before those things are fully settled the Province will be thrown into as great convulsions as ever. I beg leave therefore to become an humble Petitioner to your Ldps for my own sake for the sake of the officers of the Government who groan under a long arrear of Salary but especially for the sake of the Province to consider our past sufferings our present conditions & future expectations and to represent all to His Majesty in such a light as your Lordships think best for His Majestys Interest and the Quiet & Prosperity of the Province wherein I beg to be understood too of such Instructions & orders as may enable me to quiet the fears of those who may live in apprehension of being questioned for their past actions as yet I have called no man in question and I dayly find the good effects of it

On the 10 Instant I put an end to this Session of Assembly Prorogueing them to the last tuesday in March having first given my assent to all their Bills tho' it was strongly insinuated that I would not as they had not made good the deficiencies of the Revenue, they were wonderfully pleased that I assented to them and so they were that the Council sate this Session without me, it being never done before we parted in very good temper and they promised me to do next Session what I proposed this the Bills that I assented to are these

1 An Act to continue the Militia Act

2 An Act to revive an act for the speedy punishing & releasing such persons from imprisonment as shall commit any criminal offences in the City of New York under the degree of Grand Larceny

3 An Act to revive an Act for mending and keeping in repair the post Road from New York to Kingsbridge

4 An Act to revive an act to prevent swine running at large in Dutchess County &c

The first of these Acts being to continue one in being and the rest to review others that have formerly passed and expired by their own limitation want no remark

5 An Act to enforce part of an Act for raising fifty pounds in Schonectady &c

This Act I think very just & necessary both as it provides for the Payment of money advanced by private persons for a publick Service and as it enables the People of the Town to mind their streets which in some places at some seasons of the year are not passable for carriages which is very inconvenient to the Inhabitans who carry on a considerable Trade of flower and other goods

6th An Act continuing the Act to let to Farm the Excise

This is an annual Act with this difference only that this year the Excise of the city of New York is by the Act itself let to a particular person who gives more than in other years it has been let for

7th An Act for paying of sixty pounds to Mr Barclay[1]

This young man has applyed himself to the learning the Indian language has taught the Indian children to read and write and brought many others over to the Christian Religion, he is going to England to take orders and hopes to be employed by the Society for Propagating the Gospell as their missionary to the Indians, The thing deserves encouragement and I hope will have it

8th An Act to enable the justices of Peace in Orange County to build a new Jail

This is a very necessary work in all places and in this it is very much wanted

9th An Act to revive an act for the speedy punishing and releasing such persons from imprisonment as commit any criminal offences under the degree of grand Larceny in the several counties therein mentioned and to include the city and county of Albany and County of Suffolk

The Act that this revives has been found so very beneficial that not only the Counties to which it extended desired a revival but others have desired to be inclosed in it

10th An Act for the better clearing regulating and further laying out publick High Roads in the County of West Chester

This Act is necessary for the ease & benefit of Travellers and for all the people of the County, nor can any new Roads be made or the old ones kept in repair wthout it

With the Acts I do myself the honor to send your Lordships the Journal of the Council and Assembly and also the minutes of Council to the 18th of November whereby your Lordships will be pleased to observe that I have not drawn any warrants since those became due the first of June, hoping that His Majesty will be graciously pleased to give me the whole Salary as I have the whole burthen of the expence wherein I humbly intreat your Lordships to give me your protectn & if I draw for one half only I doubt and am almost sure the Asssembly will not make any provision for the other half when they make good the Deficiencies I humbly recommend myself to your Lordships and am with the most profound honor and regard

My Lords

Your Lordships

most humble and

most obedient Servant

Sgd GEO: CLARKE

[1] Rev. HENRY BARCLAY, D. D., was a native of Albany and son of the Rev. Thomas B., first Episcopal minister of that city. He graduated at Yale College in 1734, and on the recommendation of the Rev. Mr. Miln, of St. Peter's church, was appointed Catechist to the Mohawks at Fort Hunter in 1736; he proceeded to England in 1737, for the purpose of receiving Holy orders, and was ordained on 30th January, 173⅞, and sent by the Society for the Propagation of the Gospel Missionary to Albany and Fort Hunter; he arrived in his native city in the beginning of April following, and continued his labors there and among the Mohawks until October, 1746, when he was inducted Rector of Trinity church, New-York. In 1761, he received the degree of Doctor of Divinity from the College of Oxford, and died 20th August, 1764. At the time of his death he was engaged in superintending the printing of a Translation of the Book of Common Prayer into the Mohawk dialect. — ED.

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 37.]

To Geo. Clarke Esq^{r}

Sir.

We have received Your letter of the 18th of October last giving us an Account of Your having received the Instruction from Her Majesty to you as President of the Council and Commander in Chief of New York, directing the new Form of Prayer for the Royal Family, and we are very glad to find the good effect that has attended the Receipt of this Instruction: If this acknowledgement of Your Authority in the Title only of an Instruction from her Majesty has restored the peace and tranquility of the Province, we hope the Confirmation of it will follow Your receipt of Her Majesty's Commission appointing You Lieu^{t} Governor in the execution of which we make no doubt but you will follow the same prudent & steady steps you have hitherto taken. So we bid you heartily farewell and are, Your very loving friends and humble Serv^{ts}

FitzWalter
T. Pelham
M. Bladen
R. Plumer.

Whitehall
Dec^{br} y^{e} 9th 1736

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 1.]

New York April 9. 1737

My Lords

I have the honour to receive your Lordships letters of the 22 of October and 9 of December; I beg leave to return your Lordships my most humble thanks for your favourable opinion of my readiness, an incouragement that will enable me with chearfulness to go through all difficulties

The Assembly are now sitting but I cannot as yet make any Judgement of what they will do, I do my self the honor to inclose to your Lordships my speech with the Councils Address, and the addresses of some of the Counties which in the late times were the most disaffected as a testemany that my endeavours have had some success I have the misfortune howsoever to sufer extreamly under the deficiencies of the Revenue, not having yet received one penny from the Treasury, and being obliged to support the honor and dignity of the Government out of my own private fortune and credit, but I assure your Lordships that no distresses shall ever make me give up his Majesty's just authority which perhaps may be attack'd especially in the point of erecting Courts of Equity; I have endeavoured previously to their sittings to divert them from such thoughts by inviting them to think of raising hemp and Iron which will be of solid and lasting service to them; I published a scheme for that purpose and recommended those things to them in my speech, it is approved of out of the House what they will think of it without, time must resolute me.

I am sorry that I cannot acquaint your Lordships that my proposals for setling foreign Protestants have been yet attended with success, they have been sent to Amsterdam, translated into highdutch and dispersed in Several parts of Germany, I still hope they will in time attain the end proposed. I beg leave to acquaint your Lordships as I do his Grace the Duke of New Castle that I received a letter from M^r^ Beauharnois Gov^r^ of Canada complaining of the Lieut^t^ to which I returned him an answer and likewise wrote to theire Lieut^t^ about[1] M^r^ Beauharnois not having received my letter wrote to me again on the same Subject copys of which letters I do myself the honor to send to your Lordships, and when the Lieut^t^ is relieved I will inquire into the business

The Gov^r^ of Carolina having inform'd me this Spring of a descent intended to be made by the Spaniards from the Province of Georgia and Carolina, I issued an order in Council to the Collector not to clear any vessells for Augustin and Proclamation forbidding all his Majesties Subjects to send to or give the Spaniards any succours of any kind; Captain Harris[2] of the Tartar Station'd here having apply'd to me in Council for thirty seamen to enable him to go to Georgia I issued an order to the Mayor and that having been the method to cause that number of seamen to be impress'd the Mayor issued his orders to the Constables to apprehend all deserters and vagrants, more than that he said he could not do, nor did that procure the men, Capt^n^ Harris[2] therefore applyed to me again in Council, and the Council were unanimously of opinion that I could not issue any further Warrant, whilst this was in agitation Vessells arrived in Several ports from Carolina giving an account that if any descent had been intended it was now laid a side and thô this intelligence came only in private letters yet so much credit is given to it that Captain Harris,[2] I am told, does not intend to sail and the Gaston Station Ship which he order'd hither to join him lyes here too; I have taken to examination of the master of a vessell lately arrived from Augustin which will give your Lordships some account of the present state of that place

I beseech your Lordships to be assured that I will in all things to the utmost of my power exert myself for his Majesties Service, in this busines Captain Harris[2] applyed to me in Council I advised with the Council, and having done so I must be concluded by their advice.

The Town was alarm'd at the rumour of a press, Captain Harris[2] I am told said to one of the Aldermen that he would not impress a man, and that I could not, tho he had applyed to me perhaps he wished to see us again in a flame, I may venture to say for it was obvious to every one that he has all along given too much countenance to the faction, but he will not be able to raise another. I humbly recommend myself to your Lordships protection and am with the greatest respect and honor

My Lords
Your Lordships
most humble and
most obe^dt^ Servant
G. Clarke

The Right Hon^ble^ the Lords of Trade.

End^d^ Rec^d^ June 27. 1737.
Read Sept: 7. 1737.

[1] "and likewise wrote to the Lieut. about it." *See* next Doc.

[2] *Sic.* Captain Norris was the second son of Admiral Sir John Norris. He married Eupham, daughter of Governor Lewis Morris, and died in England in December, 1738. *Papers of Governor Morris*, 57. — Ed.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) IX., 1.]

New York 9th April 1737.

My Lord.

I do myself the honor to inform Your Grace that the last fall I received a letter from Mr Beauharnois Govern of Canada complaining of the Lieut posted at Oswego to which I returned him an answer the 26th of October a copy whereof I do myself the honor to inclose to Your Grace, hopeing that that would give him full satisfaction; I likewise wrote to the Lieut at Oswego about it, as Your Grace may be pleased to see in the inclosed copy, but Mr Beauharnois not having received my letter wrote to me again the 15th of Novemr on the same subject inclosing to me a duplicate of his first letter, which I do myself the honor to lay before your Grace with a copy of his last—The winter has shut up all intercourse between us and Oswego so that I have not heard from that officer, but the season of the year now aproaching to relieve that Garrison, I shall upon his return examine into that business.

Upon the notice that I received the beginning of March from the Govr of South Carolina,[1] that the Spaniards were preparing to make a descent from the Havanna on that province and Georgia, I again issued an address as I did the last summer, forbidding the collector to clear any vessell for Augustin and a procln prohibiting all His Majtys subjects to send to or give the Spaniards any succours of any kind; Captn Norris of His Majtys ship Tartar stationed here having applyed to me for thirty seamen to enable him to go to Georgia for the defence of that place, I issued an order in Councill to the Mayor to cause that number of seamen to be impressed; the Mayor issued his orders to the constables to apprehend all deserters and vagrants; more then that he said he could not legally do, but that failing of getting the number of men that Captn Norris asked for, he again applyed to me in Council, but the Council, being of opinion that I could not legally issue any further warrant, would not advise me to do it; I recommended to the Captn to beat up for volontiers but he has not; He complains that the Masters of Merchts ships intice the sailors from the Kings ships, but its said that the Captains themselves incourage their men to go in the winter season in Merchantmen, because they find their account in it, and the men having higher wages dont think of returning: Our latest accounts from Carolina which are private letters, give us cause to think that no descent was or is intended, and the inclosed examination of a master of a vessell confirms it.—

I beg leave to assure your Grace that I will upon all occasions exert myself to the utmost of my power for his Majtys service. I humbly recommend myself to your Graces protection, and am with a most profound submission and honor

My Lord

Your Graces

most humble, most obedient and

most dutiful servant

(signed). G W. Clarke.

[1] Thomas Broughton, Esq., Lieutenant-Governor of South Carolina, succeeded to the command of that Province, on the death of Governor Johnson, 3d of May, 1735, and died in 1738, when in his turn he was succeeded by Governor Bull. *Oldmixon's British Empire in America*, 2d ed., I., 506. *Carroll. Hist. South Carolina*, I., 311, 327, who says, that he was a plain man, but little distinguished either for his knowledge or valor. — Ed.

Governor de Beauharnois to President Clarke.

[TRANSLATED FROM THE FRENCH.]

[New-York Papers. Bundle Gg. No. 4.]

Sir,

It appears by all the accounts I have received from Europe, that good understanding prevails between France and England; nevertheless the Commandant at Choueguen has committed an act of hostility whereof I must inform you. Here is the fact:—

The Major of the town and castle of Quebec, a Knight of the Military Order of Saint Louis passing Choueguen last July was met by a bateau with two men in it, who whilst enquiring how he was, were hailed from the shore. This officer asked what that was; they told him 'twas to bring his flag ashore. Immediately he saw about twelve to fifteen men embarking on board another bateau which made towards him and seeing that he was continuing his course, three or four muskets, loaded with ball, were discharged at his canoe. Fortunately for both Nations, no one was hurt.

You will agree, Sir, that the officer who would carry his flag ashore on such an occasion, would be despised by the Nation. I am persuaded, Sir, that you will disapprove the conduct of the Commandant of Choueguen as soon as this letter shall have informed you of it, and consequently, that you will have him punished as he deserves. Had Officers under my command so demeaned themselves, I assure you, Sir, that I should have them punished most severely. The harmony that reigns for so long a time between our Sovereigns must make us live as good friends. The proceeding at Choueguen is in strong contradiction to it. I am persuaded, Sir, that you will render the French Nation prompt justice for this attack and that you will be pleased to send me an answer by the first opportunity.

I am most respectfully

Sir,

Your most humble and

Most obedient Servant

Quebec 20th August 1736. BEAUHARNOIS.

President Clarke to Governor de Beauharnois.

New York Oct: 26. 1736

Sir,

I have the honor to receive your letter of the 20th of Sept. and to answer you, that I shall inquire strictly into the conduct of the Officer at Oswego, and take such Course with him, as shall be agreeable to Justice; being determined to preserve, in all things under my care, that peace which happily subsists between the Two Crowns, and to cultivate a good understanding between us; nor will it derogate from the profession I make, to complain to you the Practices too much used by your people, to seduce the Six Nations, and to draw them from their

Allegiance, which they owe to the Crown of Great Britain; for I am perswaded that being thus informed of it, you will discountenance such practices, and give orders, that for the future the like be not committed I am

With greatest respect
Sir

Mons^{r} Beauharnois
Gov^{r} of Canada.

Your most obe^{t} humble Servant
GEO: CLARKE

Governor de Beauharnois to Lieutenant-Governor Clarke.

[TRANSLATED FROM THE FRENCH.]

[New-York Papers. Bundle Gg., No. 4.]

Quebec 15th November 1736.

Sir

A corporal and a private soldier, deserters from Choüeguen have confirmed what I have had the honor to state to you, and that it was Lieutenant Caneroüe who was in command there; that as soon as he saw a French Canoe with a flag, he ordered the swivels to be loaded; that he afterwards had a bateau armed with nine men, six of whom were soldiers, two Dutch colonists and the corporal in question; that they had orders to pursue the French canoe and fire ball at it, if they would not overtake it. I persist, Sir, in what I have had the honor to write to you.

I am with much respect,
Sir,

Your most humble Servant
BEAUHARNOIS.

I think it my duty to inform you that I have written about the matter to the Court.

Lieutenant-Governor Clarke to Captain Congreve.

New York Nov^{r} 1. 1736.

Sir

I am truely sorry to hear so many complaints of your conduct at Oswego, I hope for better things, but am now in fear, if some better care be not taken, that the Garrison will all desert or perish for want of provision of which I am told there is no manner of Œconemy: it behoves you, Sir, to be very circumspect, and I earnestly recommend to you, to keep good dissipline, and to take care of the provision and of the security of the house and Garrison.

M^r^ Beauharnois complained to me of your Commanding a French Canoe ashore, which was passing by, I assured him. I wo'd inquire into it, and I hope you will be able to acquit yourself of what he lays to your charge

I desire you will be very vigilant and guard carefully against all surprizes of the Indians or others. Capt: Dick will convey this to you, to whom you ought to give an account of your Garrison by all opportunity's, as he is the Commanding Officer on the frontiers I am

S^r^ &c.

Capt^n^ Congreve G. C.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 6.]

New York May 9. 1737.

My Lords,

The Assembly having entered into the consideration of the deficiencys of the Revenue came on the 27 of April to some Resolves; short of the sum, foreign to former practise and very injurious to his Majesty's just authority, which obliged me on the 28 of the same Month with the unanimous advise of the Council to prorogue them to the 3^d^ day of May, The Council having before adjourned to the 2^d^ and then by the same unanimous advice to dissolve them, The method they took was thus, after having examined the Treasurer's Accounts, and a list of the warrants unpaid, that had been drawn on him and having computed what they supposed would become due on the 1^st^ of September next, they then mentioned such warrants as they would pay, and such sums for future services to the 1^st^ of September as they thought fitt, and then Resolved that those and those only should be payd, and ordered a Bill to be prepared for that purpose; By these resolves a warrant unpaid to the Auditor General for auditing the Treasurer's Accounts from March 1733, amounting to £281 17 6¼ is wholly rejected; No provision is made for the Clerk and Doorkeeper to the Council, as they now Sitt at a distant house, and but One half of the Governor's Sallary provided for; These Resolves will appear more extraordinary, If it be considered that by the Kings Instructions, and by the Revenue Act too, all the money arising by it, is to be issued by Warrant Signed by the Governor with the advice of the Council, for they would now even break through a law of their own making, and take upon them to appropriate the Revenue by Bill, they would deprive His Majesty of his just Right of having his Revenue accounted for to him, And the Auditor General of His fees established above forty Years ago and ever since pay'd, and subject the Gov^r^ and every Officer in the Government to a dependance on them; This is what they formerly attempted in 1710, But neither Governor Hunter nor the Council would submitt to any such appropriation, So that the Government remained for two or three Years without any support, and I do assure your Lordships that I will starve 'ere I give into things so deregotary to His Majesty's honor, and so injurious to his interest and Service. The Crown Officers are already but ill look'd on by the People, and hardly escape Censure in doing their necessary Duty, and if ever they should be subjected to the power of the Assembly, The Government will have but little good

to expect from their Services, I have ordered Writts to be issued for a New Assembly to meet the 15 of June. I do myself the honor to send to your Lordships the Resolves mentioned. What the next Assembly will do is not at this distance to be guest at, I hope the best, If they come with dispositions to consult the interest and prosperity of the province, they must come to with resolutions to support his Majesty's Government in the like manner that it has been hitherto supported, for I have told them, they must go hand in hand, then they may expect from me all things that by his Majesty's instructions I am allowed to grant them, more than that I cannot do;

I presume your Lordships will be of opinion that if I have any thing in my power that I may make usefull to bring the Assembly to reason, I may do it when I have the opportunity and they give me occasion, On this supposition I beg leave to acquaint your Lordships that in 1714 and 1717, two Acts were pass'd to pay the debts of the Government and paper money issued for that purpose, to sink that paper money the Excise on strong Liquors was give and appropriated to the year 1739, at which time the Act expires, and there will then be about twenty thousand pounds of that money unsunk in the hands of the people and without any fund to sink it, they must therefore give the excise a considerable number of years more or find some other fund, or the bills will be a dead loss to those who have them; the Act cannot pass without my assent, and I presume to hope your Lordships will think that before I assent to it, I may very reasonably insist on their making good the full deficiencys of the present revenue, and on their giving a further Revenue for a competent number of years, as yet this is a thing unthought of at least not talked of by the Assembly, it being at the distance of two years, And I hope in the mean time they will come to a sense of their duty.

I am now going to Albany to meet the Six Nations the expence whereof must go out of my own pocket as all my other expence have and must do, for I have not received a shilling from the Treasury since Governor Cosby's death, nor shall I till the deficiency's of the Revenue are made good, there is a necessity for my meeting and giving them a large present at this time both to renew our treatys, and to keep them from suffering the french to build a trading house or rather a fort in the Cinnikes Country; which they are now attempting to bring the Six Nations to consent to, I have already sent to forbid them to meet the french Emissary on his sumôns, and to require them to meet me at Albany the 21 of June.

I have the pleasure amidst my distresses to see quiet restored to this late distracted Province, and that there is a great appearance that the ensuing elections will be carry'd on without reviving past animosities, and with no other than the usuall struggles on such occasions.

I humbly recommend myself to your Lordships protection, which I can hope for no longer than I exert myself for his Majestys honor and interest, and Govern the Province with Justice and moderation

I am with the greatest honor
My Lords
Your Lordships
most humble
most obedient Servant
Geo: Clarke

End[d] Rec[d] June 29. 1737.
Read Sept: 7. 1737.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 8.]

New York June 17. 1737

My Lords

On the 15 the Assembly met and chose their Speaker, I made a short speech to them, and yesterday the addressed me, the majority is of those, who opposed me before I was appointed Lieutenant Governor, but if appearances dont deceive me, I have reason to hope they will make good the deficiencyes of the Revenue and give another; they will expect from me at the same time such laws for the good of the Province as I can pass, more than that, the speaker tells me, they wont insist on; If they keep within those bounds, provide for the deficiencies, and give a further Revenue, the Province will soon raise its head and become a flourishing Country.

The house seems to be in very good temper we met and now part well satisfyed with each other, the Speaker[1] is very open with me, and gives me room to think that I shall at their next meeting be able to give your Lordships a very good account of them

The harvest drawing nigh I have directed the house to adjourn to the 4 Tuesday in August, and am this day going to Albany to meet the Six Nations

I am with profound respect and honor

My Lords

Your Lordships most humble

and most obedient Servant

GEO: CLARKE

End[d] Rec[d] July 26.

Read Sept: 7. 1737.

Duke of Newcastle to the Lords of Trade.

[New-York Papers, Ff., No. 53.]

Whitehall June 20[th] 1737.

My Lords

His Majesty having been pleased to appoint the Right Honorable the Lord De la Warr, to be Governor of New York and New Jersey, in America, it is His Majestys pleasure that the draught of His Commission and Instructions may be prepared, in order to be laid before His Majesty for his approbation

I am

My Lords

Your Lordships

most obedient

humble Servant

Lords Com[rs] of Trade

Sg[d] HOLLES NEWCASTLE

[1] Colonel Lewis Morris, Junr. — ED.

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 40.]

To the Hon^ble^ Geo. Clarke Esq^r^ Lieut Gov^r^ of New York.

Sir.

We should by this Conveyance have answered Your Letters of the 20^th^ of Sep^br^ 7^th^ and 10^th^ of October & 27^th^ of Nov^br^ 1736 but that His Majesty has been pleased to appoint the R^t^ Hon^ble^ the Lord Delaware Gov^r^ of New York and New Jersey, and as he will with all convenient speed set out for his Government we have only to desire that until his Lordships arrival you will do your utmost to preserve the Tranquility of the Province under Your command. So we bid you heartily farewell, and are

Your very loving friends
and humble Serv^ts^
T. PELHAM
JA. BRUDENELL[1]
R. PLUMER.

Whitehall
June y^e^ 22^d^ 1737

Lords of Trade to the Duke of Newcastle.

[New-York Entries, M., p., 41.]

To His Grace The Duke of Newcastle.

My Lord,

Having in obedience to His Majesty's Commands signifyed to us by Your Grace's letter of the 20^th^ Instant prepared the Draughts of Commissions for the Right Hon^ble^ the Lord Delaware to be Gov^r^ of New York and New Jersey, we take leave to inclose the said Draughts to Your Grace with our Representation thereupon, which you will please to lay before His Majesty We are, My Lord, Your Grace's most obedient

and most humble Serv^ts^
MONSON
T. PELHAM
M. BLADEN
R. PLUMER.

Whitehall
June y^e^ 30^th^ 1737

[1] Rt. Hon. JAMES BRUDENELL, younger son of Francis, Lord Brudenell, and brother of the Earl of Cardigan, was appointed Master of the Jewel office on 23d March, 171$\frac{5}{6}$, and resigned that post on the 4th June, 1730, on being constituted one of the Commissioners of Trade and Plantations. He was also one of the Grooms of the King's bed chamber, and in June, 1737, was appointed gentleman of the horse to his Majesty. He was Member of Parliament for Andover, and for the city of Chichester, from 1715 to the time of his decease, in August, 1746. He married Susan, daughter of Bartholemew Burton of Rutlandshire, by whom he had several children. *Collins' Peerage*, II., 389. — ED.

Representation to the King. June 30th 1737.

To the KING'S MOST EXCELL^t MAJESTY.

May it please Your Majesty

In obedience to Your Majesty's Commands signifyed to us by a letter from His Grace the Duke of Newcastle dated the 20th Instant we have prepared the Draughts of Commissions for the Right Hon^ble the Lord Delaware to be Governor of New York and New Jersey, which being in the usual form, we herewith humbly lay the same before Your Majesty, and shall prepare the necessary Instructions for his Lordship with all possible Dispatch.

Which is most humbly submitted

MONSON[1]
T. PELHAM
M. BLADEN
R. PLUMER

Whitehall
June y^e 30th 1737

Conference between Lieutenant-Governor Clarke and the Indians.

[New-York Colonial Manuscripts in Sec's Office, Albany. LXXI.]

Albany 24th June 1737.

The Sachims of the Six Nations waited on his Honour the Lieutenant Governour at his Lodging And Said Brother Corlaer We welcome you at Albany and are glad you are safe Arrived while Men are Subject to many unhappy Accidents of Sickness or other sudden Disasters that Death follows us in all places and that it hath pleased God to suffer us to meet together in Good Health for which We are very much rejoyced Gave four Skins

Brother Corlaer

We are come a great way from our Habitations and have several of our people among us are but poor and not able to have their hatchetts, Hows & Guns Mended wherefore we beg of you to get them mended;

Albany June 25th 1737.

Two Sachims of the Mohoggs waited on his Honour George Clarke Esq^r in behalf of themselves, Onedes, Onondages and Tuskaroroes desiring that his Honour would be pleased to

[1] JOHN first, Lord Monson, was the son of George Monson, Esq., and Anne Wren. He was chosen member for the city of Lincoln, in 1722, and in 1725 was installed Knight Companion of the Order of the Bath. On the decease of his uncle, Sir William Monson, he succeeded to the Baronetcy and his estate in 1726, and was again elected to represent Lincoln in the parliament of 1728. At the conclusion of the session he was advanced to the peerage by the title of Baron Monson, of Burton, in the county of Lincoln, 28th May, 1728. His Lordship was appointed first Commissioner of Trade and Plantations, on 25th June, 1737, and was sworn of the privy council, on 21st July following. On a new commission issuing in 1745, he was continued president of the Board of Trade, and died 18th July, 1748. His Lordship married about the year 1726, Lady Margaret Watson, youngest daughter of the Earl of Rockingham, by whom he had three sons, one of whom married the niece of the Duke of Newcastle. *Collins' peerage*, V., 362. — ED.

Defer to Speak to them in publick until next Monday because they would this day Condole the Death of the two sachims who lately Dyed According to the Antient Custom of their Ancestors and until that was done they were like Children under Age who cannot Act in publick Affairs.

Whereon his Honour was pleased to tell them that According to their Desire he would deferr speaking to them untill next Monday for which the return their hearty thanks and Informed his Honour privately that the Schaveno Indians Living on Susquehanna river to the Number of 130. Warrours having Notice that the Caycuges and Sianekees lately sold the land they live on, unto the Proprietor of Pensilvania have thereupon sent Messengers with a belt Wampum to the Indians Settled at Tussaghrondie to Desire Leave to shelter and live among them; to which they have Consented and the French with a Number Indians have promised on Notice that they are on their March to meet them with provisions &c. to receive and Conduct them to this new settlement.

Proposition made by the Hon^{ble} George Clarke Esq^{r} Lieu^{t} Governour and Commander in Chief of the Province of New York to the Sachims of the six Nations Viz^{t} Mohoggs, Onedes, Tuskorores, Onondages, Caycuges & Sinnekes In Albany the 27th June 1737

PRESENT— The Hon^{ble} George Clarke Esq^{r} &c.
Abraham V Horne
Philip Livingston } Esq^{rs} his Maties Council
James D Lancey
The Com^{rs} of Indian Affairs
The Mayor Recorder & Aldermen

Brethren

What is this I hear? is it possible that men who Profess to Tread the paths of Justice that men who would be thought to Act upon principles of Honesty & Virtue should have no regard to the sacred Obligation of publick ffaith but Desolve those Bonds of friendship and alliance which united Our forefathers and made them and you and us Brethren or are you tired of the benefit You Receive by Trading with us that thus you Assist the French to Deprive you of it; to make fetters for you and to restrain you from that Liberty which you now Enjoy if you are at a loss to know my meaning a few words will Explain it: I am told you have given Leave to the French to build a House at Tiorondequat; it is a thing so far beyond belief that I could give no Creditt to it; on the first report but it is now so Confidently Affirmed that I can no longer Doubt of it. I came hither to Renew to Brighten & to strengthen the Covenant Chain but till you Come to a resolution to revoke that Leave which you have given to the French and give me your positive and ffaithfull promise not to suffer any Frenchman to build in your Country I cannot speake on that head for what Confidence Can we place in Men who keep not their ffaith with us; the Great King your Father Glories in a strict Observance of his Treaties with his Brethen of all Nations and he Expects the like from them but when they Warp from their Promise he disclaims their friendship as unworthy of his: Tell me therefore before I speak of Renewing the Covenant Chain what you Intend, you know well that about thirty Six Winters ago you gave those Lands to the Great King of England your father to hold

& Protect them for you and you know too that about Eleven Winters ago you Acknowledged and Confirmed that Gift if your Memories fail you We cannot forgett it. We Comitted it to writing which time cannot wear out now having in that solemn manner put it into the hands of our King your Father you cannot without his Consent suffer a ffrench Man or any other but the subjects of the great King of England to build on it unless you resolve to throw off his Protection and our Friendship. The Commissioners of the Indian Affairs on the first Notice Complained to you of this your breach of Faith you promised them not to suffer Jean Couer or any other ffrenchman to build and Confirmed that Promise by this belt Wampum and yet Notwithstanding that Promise I am told that with your Consent he is going to build. what shall I say to you upon it I want words to Express my thoughts of it I leave you therefore to your own Reflections Consider what I have said; Consult your own Interest wipe off the stain that this Action has thrown on you retrieve your Honour and Give me your Positive Answer Gave a Belt of Wampum

Answer made by the sachims of the Six Nations to the Honourable George Clarke Esq^{r} Lieut^{t} Gov^{r} &c

That they with Attention heard what his Honour has been Pleased to say that they will Consider of it and Consult together to Deliver a speedy Answer but desire that they may not be hurried in it,

His Honour was pleased to say that they Should take their own time, but Expected it should be as soon as they could Conveniently do it.

Answer made by the sachims of the six Nations to the Governours Proposition in Albany the 27. June 1737

PRESENT— His Honour the Lieu Gov^{r}
The Counsellors
The second Judge
The Mayor & Aldermen
The Comis^{rs} of Indian Affairs

Brethren Indians that belong to the French

You are here to listen to what we shall speak to our Brother Corlaer.

You may hear it and We doubt not but you will tell it to the Governour of Canada which you may do but we desire that you may tell him Nothing but the truth.—

Brother Corlaer

You spoke to us to day and made a preposition you heard with Great Surprize that we had Given Liberty to the French to build a House at Tiorondequat but that you could not give Credit to the first report of it.

You have Likewise told us that you have heard it so often that You was at last obliged to believe it.

You have likewise told us that it would Occasion a breach in the Covenant Chain if We should give leave to the French to build these or any where on our Land.

You have likewise told us Brother that our Father the Great King over the Great Water has several Treaties with other of his Neighbours and if they do not regard those Treaties he Values them no Longer and Withdraws his friendship and Protection from them.

Brother Corlaer

You have likewise told us that our giving Leave to any of the French to live on our lands would be a means to tie us with fetters and be a Prejudice to us all: You desired a positive Answer to what you said without a false heart. if the French should settle there it would be a means to Cutt off our Communication with the far Indians.

We have now repeated here and there a Word of your proposition but now we shall begin with our Answer.

Brother Corlaer

You spoke very fierce and roughly to us and We hope You will give us the same Liberty We shall likewise tell you your faults You tell us you Committ Your Affairs to Writing which we do not and so when you look to your Books you know what passed in fformer times but we keep our Treaties in our heads and therefore shall begin with what passed long ago.

Brother

At the time when the French built a House at Iagara the Governour Asked us in a publick Meeting why we suffered it & did not Demolish it We Answered that we were not Able to do it but desired of the Governour to write to the King about it which he promised to do but We have never heard more about it; So think that they who write are as forgetfull as We who do not write for this We Can Remember and think the Governour should at least acquainted us with what Answer he had—

Brother Corlaer

You have told us that We have probably forgott what past in former times but our Ancestors have handed down to us from Father to son what has happened both in the Dutch and English times there has been a book but perhaps that book has been Destroyed.

Brother Corlaer

We have now done with what past of old we come now to Answer your Proposition again You told us We had a stain in our Garments and now we have Come to a full Resolution of all the Six Nations not with False Lips but from the Bottom of our hearts the French shall not Settle on any of our Lands and this you may Believe we speak with Sincerity.

Brother Corlaer

We thank you for your Good advice to us we acknowledge we have been in the Fault

Brother Corlaer

We again say as before that we speak with a sincere heart & shall Perform our Promisses there shall not one French Man setle on our Land;

Brother Corlaer

We have now Done speaking to you but we want to Ask a single Question which Does not Belong to our Proposition How Comes it that the French have setled so near in the neighborhood even at the Crown Point have they Wone it by the sword We think it is our Land;

Proposition made by the Honourable George Clarke Esq^{r} Lieu^{t} Governour &^{ca} to the sachims of the Six Nations in Albany the 28th June 1737

PRESENT— The Honourable George Clarke Esq^{r} &^{ca}
Abraham Van Horn
Philip Livingston } Esq^{rs} Councellors
James DeLancey
The Mayor Record^{r} & Alderman
The Commissioners for Indian Affairs

Brethren

The Promise you gave me yesterday not to suffer any French to settle upon any part of your Lands the Publick & open Manner wherein that promise was made and the assurance you gave me that it Proceeded not from Lying Lips nor a Deceitfull Tongue but from the sincerity of your heart have Wiped of this stain that would otherwise have remaind upon you and would have pointed you out to the World as Faithless People & haveing thus Retriv'd your Honour and Shak't off the fetters that the French by your own folly had begun to putt upon you I open my Armes & Receive you and Embrace you with Joy & Effection Equall to that which we felt when a Brother has Escaped from the hands of his Enemies that Were streched out to putt him to Death in hopes therefore that for the future you will Guard against the Crafty Designs of the French Defeat their Attempts & Resist their Temtations that you never forgett the sacred obligations of your Publick faith which has United you to us and made us Brethren and that our Friendship and Brotherly Love may be strong & Lasting I do now in the Name of my Master the Great King of Great Brittain your Indulgent Father & Protector in the most Solemn manner renew Brighten and strengthen the Antient Covenant that has tied you & all his Majesties Subjects in the Strictest Bands of Affection and Interest Lett it be your Care therefore as it Shall be ours to keep it from Rust and preserve it in its full strength and Lustre gave a belt of Wampum

The Many Instances you have known of the Craft & Treachery of French ought never to be forgotten by you & you Shall Learn from thence that no Concessions of any Sort Can be made by you to them that they will not turn to you Disadvantage they have tryed Every art to Weaken you & if possible to Extirpate your name & Nations & if you will give your Selves Leave to Look back you will see how many of your Youths have Perished by the sword in Fighting their Battles against nations to whom you yourselves had no Enemity and Can there be a surer way found to weaken your strength or in Time to Reduce your Number to an handfull of men and in the End to Nothing Courage is given us to Protect and Defend our Wives our Children our friends & our Rightfull possession not to Invade & by force & Violence to Injure and Distroy our Neighbours who Give us no Provocation the first is Commendable the Law of Nature oblidges us to it but the second Proclaims to the world our want of Reason & our Want of every Virtue and Levels us with savage beasts a Fresh Instance of the Designs of the French upon you has Lately Reached my Ears and it is with the uttmost Concern that I hear you have Consented to Suffer young People to Promise the French to Joyn them in a Warlike Expedition against the Foxes what are your Views in Conquest Deceive not yourselves tho the French will not suffer you to share with them one Inch of Land is it Glory? Remember that Glory is the Reward of Virtuous actions

not of Lawless Violence what will you gett by it why Nothing but Danger & perhaps Distruction rather Inspire your Youth with sentiments of Justice Temperance & the Love of Mankind Train them to the Use of Arms in hunting so will they be Inured to Labour & an Active Life in their youth Ready and able to Defend Their own Country if Ever it Should be Invaded & in their old age become wise Just & Prudent Rulers you will grow Richer at Home and Highly Honour'd abroad for those Virtues that make a Nation Renound and Famous;

As for us a Long Experience has taught you that we seek Not the Destruction of your or our Neighbours and that we Endeavour to Live in a Strict Union with you to Promote and Incourage your Trade & Even to Bring it Home to your own Doors the Tradeing house at Oswego is an Instance of the Truth of what I say & I am presuaded you have found your advantage as well as your Ease in it as our Brethren therefore I hope (and what may not one Brother Expect from an other) that you will keep the paths that Leads to that Tradeing House open not only for you selves but also for all the Upper Nations we have great Plenty of goods to sûply both you and them & the more skins you and the remote Nations bring Thither the more goods shall we send to Traffick with you and we shall always sell them Cheaper to you than the ffrench who are Obliged to buy many goods from us.

It is said that our Brethren the Sinnekees and Cayuges have sold those Lands on Susquehanna River on which they settled the Schavanna and other Indians who put themselves under their Protection, if it be so I hope you will give them other Lands to live on and prevent their Settling among the French Indians some of whom I am told have Invited them to dwell at Tucksagrandie thereby hoping to Weaken you and Streghthen themselves but I trust in that Wisdom & foresight for what you are remarkable That you will Defeat their Intentions by Keeping those people Among you and Increase your own Strength by Inviting other Indians to live with you.

I have brought from King George my Master and your Father a Good present which I shall deliver you as soon as you give Me your Answer that you may not be Cheated out of it for Rum as you have often been; but that you may Carry it home to your Family Entire — I shall likewise give you Provisions for your Journey & Rum Enough but not till you are just going I have now done & shall wait for your Answer

Answer of the Six Nations —

Brother Corlaer

We have heard your Proposition and shall take it into Consideration We cannot tell how soon we shall be ready with our Answer but We shall Acquaint your Honour when we are ready

Answer of the Sachims of the six Nations to the Governours Proposition the 30th June 1737

Brother Corlaer

You made lately a Proposition to us in the Name of the King your Master and our Father You said likewise Brother Corlaer that you was Glad to meet us here in the City of Albany You have also said Brother Corlaer that you Opned your Arms to Embrace us with Sincere Love.

You have likewise told us Brother Corlaer that the reason you Embraced us with open Arms was that We had Escaped the deadly Snares that were laid for us And that you received us again with hearty friendship —

You have likewise told us that your Chief Business here was to renew the Antient Covenant Chain that our Ancestors made together, to renew that Silver Chain wherewith our aforesaid forefathers had linked their hands together and to make its Lusture still more bright and Clear —

Brother Corlaer

That Covenant which our fforefathers have made you have told us nobody can breake which We always say on our part that it shall not be in the power of any evill tongue to make a breach betwixt us

Brother Corlaer

We have remembered every thing that has been Transacted between our fforefathers hitherto One Generation tells it to another —

Brother Corlaer

We are very glad with the Promises that you have made to the six Nations; which you promise to keep Inviolable on your part, and we are come on the same End and promise in the name of the Six Nations to keep the same Inviolable on our part and to make it Clearer and stronger than it ever has been before; We know Brother Corlaer that our Neighbouring Enemies would rejoyce to hear that we fell out together but the better we agree the more Disagreeable it will be to them in Confirmation of all we have said: Give this belt Wampum

Brother Corlaer.

You likewise told us that you heard that there lyes a belt Wampum amongst the Sinnekees Send by the Governor of Canada to invite us to go to war with him against the Foxes it is true Brother there is a belt come from Canada but it is our own which was returned us We heard that the Governour of Canada had conceived a prejudice against us We sent that belt in place of a Letter in order to be Informed of the truth of it the Governour of Canada hath not Accepted of that belt but returned to us and let us know there was no truth in what we had heard: but afterwards he let us know that he Intended to go on an Expedition against the Foxes & their Allies but no harm was Intended us & if we were willing to go we sho'd be welcome but he sent us no belt & it is a Maxim amongst us if ever any body speaks to us they must give a Belt which the Governour of Caneda has not done so we take no notice of it.

Brother Corlaer

You have likewise desired us to give no Credit to any thing the ffrench should tell us; for they are a Deceitfull People and no Creditt to be given to what they say but that we should adhere firmly to the Covenant Chain with you.

Brother Corlaer

You have likewise told us to keep open all the paths that Lead to Oswego not only our own Paths but all those of the far Indians and to give them all Incouragement to come and Trade there.

Brother Corlaer

You have likewise said that the more skins are brought to Oswego the More Goods will be sent there for the Indians.

Brother Corlaer

You have likewise told us that we should sitt still & molest no body but take Care of our Wives & Children: the House at Oswego is like a trap which when you Intend to Catch a prey you lay a bait in it and so when the Creature comes to Eat the bait he is Catched and to this Trap We Compare the House at Oswego we now repeated the heads of what your Honour has said and shall give our opinion thereon —

Brother Corlaer

We think there is some poison at Oswego where the Trap is Set; for many have dyed with the Bait.

Brother Corlaer

We shall here and there give an Answer to every Article you have Recommended to us not only to keep open all the paths to Oswego But to all the settlements of all other his Mat[ies] subjects which we promise to do.

Brother Corlaer

You have told us that the more Beever and Skins come to Oswego the Cheaper the Goods wo'd; but We Can't perceive that for we must pay now 3 bever Skins for a Womans Petticoat therefore we desire that We may have the Goods Cheaper then the price now is, and then all the far Nations will Come and Trade with you. Gave a belt of Wampum

The Governour told them here

That whoever takes three bevers for one petticoat Imposes on them and desired them to mark those Traders and not Deal with them for honest Treaders will give them two Petticoats for three heavy Beavers

Brother Corlaer

You have likewise said that you have heard that some of our Indians have been at Philadelphia Last summer And sold the Land to M[r] Penn which the Schawenoes live on and that they are going to live among the French Indians at Tuchsaghrondie because We sold their Lands from under their Bodys. it is true We have sold a small piece of Land to M[r] Penn but not that where Schawenoes live on: it is a piece of Land that lies at a great Distance from where those Indians live and there is a great ridge of Mountains betwixt the Land We sold & that whereon they live.

Brother

We think it is Governor Pens own Fault that those Indians go to leave the Lands whereon they now live—

Brother

We think there is an old misunderstanding between the Schawenoes and Governor Penn and they have Conceived some disgust against Governor Penn and the Design of the Schawenoes, to leave their Lands has been in Agitation some years

Brother Corlaer

We say we think it is Governor Penns fault and we shall give our reasons for it: it is a Custome amongst the Christians that when they buy land of the Indians to take in more than is agreed for And we believe M^r^ Penn has Encroached on their Lands and therefore they go for Protection to the French wherefore we desire you would use your Intrest as a Mediator between M^r^ Penn & them to prevent their going to the ffrench upon this gave a Belt

Brother Corlaer

In Antient times when our forefathers first met at this place we will tell you what then happned; before there was a house in this place, when we lodged under the Leaves of the Trees the Christians and We Entered into a Covenant of friendship, and the Indians loved the Christians on Account the sold them the goods Cheap. this Government was likened unto a Great Ship which was moared behind a great Yper Tree[1] but because the Tree was perishable the Anchor was lifted up and laid behind the Great hill at Onondage and the Six Nations are to take Care of that Anchor: that it be not Removed by any Enemy

Brother Corlaer

We Shall not Repeat a Long Story of what happend between our Forefathers we Shall break off here but We shall say in few Words that onr Forefathers Did act Uprightly & in Simplicity when they first begun to trade they had goods much Cheaper than we have now you Said we had no Memories but it is Written in our Foreheads Gave a Boundle Bever.

Brother Corlaer

We have now Said what we had to say & Conclude with A Request that your honour will order us Waggons to Carry us back to Schanectady we thank your honour for your kindness in Ordering our hatchetts Locks & kettles to be mended but we have a few Guns to be mended & the Gunsmith has refused to mend them because he had no orders for it: hope your honour will give orders for the same which was accordingly Done

The Gov^r^ further Said Viz^t^ —

The Reason they gett a Less price for their Bever is that the Traders Gett Less of it then they did formerly our Traders give more for your Bever &^ca^ than the French do which Themselves know;

Brethren

I am very Glad we are met here in Friendship & hope we shall part with Love & Affection as Friends I Shall order you Waggons & Provisions to Carry you home I am very Sorry there has been any Misunderstanding betwixt Governour Pen & the Shaweno Indians.

[1] Ypenboom, a species of elm. *Holtrop's Dutch Dictionary.* — Ed.

I Shall Do my Endeavour to gett a good Understanding betwixt them but as no man Can Answer for the Success of what he undertakes I Recommend to you to keep the Shawenoes among your Selves as you have Done the Tuskierores to prevent their Going to the French—

The Speaker of the Six Nations named Cachjagerocden waited on his Honour George Clarke Esq^{re} & said

Brother Corlaer

You told us that you have heard that the Schaweno Indians intended to Remove from their Habitation on the susquehanna River to Tushsaghrendie and Settle among the French Indians & Recommend to the Sachims of the Six Nations that they Should prevent their Removall I am Come in their name to tell you that they will do all in their power to Prevent their Removall and give them other Land among us in Case it be Sold to Governour Penn

Albany July 1st 1737

The Governour on his arrivall att Albany Declared that he Came Heither with a Resolution to Oblige the Six Nations to Revoke the promise of Leave which they had given to the French Interpreter to build att Tierondequat, that having obtained such promise from them he would then Endeavour to Prevail with them to sell to him for his Majesties use so much Land at Tierondequat as would be Necessary to Erect a Fort on and so much Land adjoining to it as might Serve to raise Provisions of all kinds sufficient to Victuall that Garrison & Oswego This Declaration giving umbrage to some of the Commissioners of Indian Affairs who apprehending or pretending to suspect that the Governour had a Design to purchase those Lands for his own use whereby he might ingross great part of the ffur trade grew uneasy and Talked of Speaking to the Indians not to sell him any Lands There this Discourse Comeing to the Governours Ears and giving him Cause to fear that his good Intentions would be defeated by those whose Duty it was to assist him Resolved at any rate to Attain his Ends and Judging that Nothing would Remove the Jealousie that some of the Commissioners had Conceived so soon or so Easily as to give them That land which they pretended the Governour Intended to purchase for himself, the Governour therefore took Occasion to tell them what he had heard. He declared that he had no Intention to take one Inch of the Land for his own use and to show them that he was in Earnest he told them that if they would be at the Expense of making the Purchase he would Grant it to them and then Directed them to meet together to Consider of it and let him know their resolutions; after one or two meetings a Committee of the Commissioners waited on the Govern^{r} and Acquainted him that they had Considered of what he had say'd to them and that they were sent by the rest to thank him & to Desire that he would make the Purchase and then Grant to them four or five thousand Acres the Governour undertook it Ordered the Interpreter several times to bring the sachims to him that he might treat with them about it nor were these Directions given privately but openly in the hearing of the Council and the Commissioners of Indian Affairs and yet the Interpreter Carryed them to the House of Nikolas Bleeker one of the Commissioners and as Bleeker says, told him it was the Governors Orders that he should treat with them about the Purchase of the Land but when the Governor Examined the Interpreter in the presence of Bleeker and M^{r} Livingston and others the

Interpreter Deney'd that the Governor had given him any such Orders, or directed him to Carry the Sachims to Mr Bleekers, or that Mr Livingston the secretary for Indian affairs had given him any such Orders: the Governor much displeased both with Bleeker and the Interpreter, Expressed his Resentment very warmly reproved Bleeker for taking upon himself to treat with the Indians on that head and Checked the Interpreter for having Disobeyed his Orders:

The sachims upon Bleekers proposals to buy all their lands on the south side of the Lake from Niagara to Oswego Answered him with a good Deal of heat that they would not sell it That wherever the Christians Settled their hunting was destroyed for the Bever & Deer &c. fled from the places where they were Disturbed: and when Bleeker again pressed them to it they Answered that if they should be willing to let us settle there yet the proprietors of the Land at Tierondequat were in the sinnekees Country and that for their part they would not Sell other Mens Lands thus through folly or design the Governors Intentions are for the present defeated: the Interpreter owned to the Governor that he believed some people had put him on sending the sachims to Bleekers but that being fudled he could not remember who the persons were that put him upon it

A True Copy taken from the Minutes
Compared and Examined Pr
Ph Livingston
Secry for the Indian Affairs.

Proposition made by the Honourable George Clarke Esqr Lieut. Govr & Commander in Chief of the province of New York &ca to the Schachkook Indians in Albany the first July 1737

Present— The Honourable George Clarke Esqr &ca
Abraham Van Horne, Philip Livingston } Esqrs of Council
The Commissioners of Indian Affairs
The Mayor Recorder & Alderman

Children

I sent for you my Children to give you Fresh Assurance of the Protection of the Great King of Great Brittain my Master, our Comon Father & sovereign & to Acknowledge in this Publick manner the Just sence I have of your Dutifull behaviour and Fidelity to him and your Effection to your Brethren the Rest of his Subjects in those parts and in his Name I Renew with you the ancient Covenant Chain that it be Stronger & Brighter then ever In Consequence of which I Expect you will behave your Selves in a Peaceable manner to all your Brethren his Majesties Subjects Especially your good Neighbours at seachkook that you stay & not Remove from that your old habitation to other Remote Places but to keep your abode under the Branches & Leaves of the Great Tree of Peace Planted for you & to persuade all Those who may be Removed to Return to that Shade I Shall take Care you Shall have Land Sufficient to plant on & that the Tree may Flourish & grow & if you do follow this advice you will again grow a Strong and Flourishing People but when you scatter & are Seperated that will be a Certain Means to weaken you. gave a Belt;

I make you a present in the name of our Great Father of such Things as are Necessary for you which Shall be Delivered you after you Shall have Given your Answer.

They Answered Father

We are glad to see you here & thankful for your advice you have given which we shall Follow as far as in our power we are not ready to give our answer out of hand but shall Consider of what you have Recommended to us & give you an Answer to Morrow

Answer made by the Schaahkook Indians to the Honourable George Clarke Esq^{r} Lieu^{t} Gov^{r} &^{c} the 2^{d} July 1737

PRESENT— The Hon^{ble} George Clarke Esq^{r} &^{c}
Abraham V Horne } Esq^{rs} Councellers
Philip Livingston }
The Commissioners of Indian Affairs

Father

We are glad and Rejoyced to see you here and bid you heartily welcome we give you our hand and renew the old Covenant Chain with our Father and Grandfather and here is a Token werewith we strenghen that Chain & we are very glad to see you in behalf of our Father to Take the Trouble to Visitt your Children and that we live in Peace and Friendship and that the Tree of Peace may Flourish that its Branches may Spread & we Live under the Shade (gave a few bever) and that the Fire which has been kindled at Schaahkook has been almost Extinguist but now it begins to Burn again that Smoak will not Dissappear again & we now again Brighten the Chain & wrap this Bever about it that it may keep clear not only for us but for Many Generations and are glad that our Father was pleased to see so many of his Children here and that we Increased I give this Belt in token that we are Glad you did recommend unto us to Encrease & Multiply and Draw as many of our People to Return and Live at Schaachkook which we Do promise to Do as much as in our power.

Answer

I give you in his Majestie's Name my Master and your Indulgent Father a Present of Such Things as are usefull for you & I expect you will behave your Selves as Dutifull Children

A true Copy

Examind & Compaird P^{r}

PH: LIVINGSTON
Sec^{rs} to the Indian Affairs

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 10.]

My Lords

I obeyed your Lordships commands of the 18 of February by acquainting the members of his Majestys Council for this Province who are appointed with others, Commissioners for

setling the lines between Massathusets and New Hampshire, with what your Lordships directed me, Soon after the Commissioners arrived I received from the Agent of New Hampshire a copy of it with letters and copys of the Commission for the other Gentlemen which were delivered to all of them except one Harrison who has been in England these two years, and soon after came two Gentlemen from the Massathusets on the same errand, but no signification from either Province that they would reward their trouble or have their expences, so that none went from this Town, but two Gentlemen being likewise sent from Boston to Albany they prevailed with M^r^ Livingston to go, as for myself your Lordships know it was impracticable for me to leave the province

I have the honor likewise to receive your Lordships letter of the 22 of June acquainting me that his Majesty has appointed my Lord DeLaware Governor of this Province and Jersey; I beg leave to assure your Lordships that I will do my utmost to preserve the tranquility of this Province hopeing in all things to acquit myself to your Lordships approbation and thereby to recommend myself to your protection. the Assembly are sitting but have yet done nothing but hearing and determining controverted Elections, that is now over and I hope the house will proceed to busines, of which I will do myself the honor to acquaint your Lordships; I am with the most profound respect and honor

My Lords

Your Lordships

most humble and

most obedient Servant

GEO: CLARKE

New York
October 14. 1737.

End^d^ Rec^d^ Nov: 22.
Read Nov: 30. 1737.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers, (S. P. O.,) IX., 10.]

My Lord.

I beg leave to inform your Grace, that yesterday the Assembly broke up for this session, after having made provision for the payment of the deficiencys of the last revenue, and laid a foundation for a future one, by striking paper money, (which was much wanted). to be let out on interest, and by giving some smaller dutys than formerly, on the importation of merchandize, but the application of those Funds for the future support of Govern^t^, they have reserv'd to the next sitting—

This morning I received an express from Albany, acquainting me that M^r^ Will^m^ Dick Capt^n^ of one of the Independant companys posted there, dyed the tenth inst:—M^r^ Nicholl[1] Capt^n^ Lieut^nt^ of the company commanded by the late Governor, having in the most earnest manner desired my leave to goe home on this occasion, I have given it him, hoping it may receive Your

[1] See note; V., 875.—ED.

Grace's approbation; he has served long in the army, greatest part of the last war in Flanders, and many years here, where he has behav'd himself very well, and presumes to hope from his long services for Your Graces protection, to which I humbly beg leave to recommend him, and to subscribe myself with the most profound regard and honour

My Lord

Your Graces:

Most obedient and

New York — most dutiful servant

Dec^{r} the 17th 1737. — (signed). G W S Clarke[1]

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg. No. 14.]

New York Feb: 17. 173$\frac{7}{8}$

My Lords

On the 17 of December I did myself the honour to acquaint your Lordships that the Assembly were adjourned for this season, having first made good the Deficiencys of the last Revenue, which were very considerable, and given some fonds for a future Support, the application whereof they have reserved to their next sitting, nor in all likelyhood will they then give it for a longer time, than from year to year; that being the General disposition of the people as well without doors as within, hoping thereby to restrain a Governor from running into any excesses; for my own part if I had nothing to consult but my own ease and interest, 'twould give me no great concern, since I think a moderate use of power is the best, and I am sure is most agreeable to my nature; but as former Revenues have been given for a longer time, I think myself obliged in duty to his Majesty, to endeavour at least to get it establish'd on the same foot; how I shall succeed I can't tell, the Grievances complained of in a late unhappy Government have sowered the people, and will make my task exceeding difficult, tho as to other things I have had the good fortune to succeed pretty well, having reduced the Province to a state of Repose, little lookt for in so short a time; and yet your Lords^{ps} I presume will easily imagin, that it will require a longer to wear out the memory of unkindnesses so lately and so warmly done by each party to the other, but a steady course of moderation in the Administration of Government, if there be no prospect of speedy Alteration in it, will I hope in the course of a few years, perfectly restore them to a Mutual Benevolence; for my own part I think I may very justifiably make use of all advantages to obtain a settlement of the Revenue for a term of years, and shall soon have one, which if your Lordships approve of, It may answer to the end: It is this, above twenty years ago the Excise on Strong Liquors, which before that time had all along been appropriated to the Revenue, was given towards the sinking a large sum of paper money then struck to pay the debts of the Government; this fond will expire in 1739, When as I am informed, there will be nigh twenty thousand pounds of that paper money unsunk, I presume therefore when ever the Assembly talk of continuing that fond,

[1] *Sic.* — Ed.

or giving another to sink that paper money, I may then insist on a Revenue for a term of years, as a condition of my assenting to such bill; But yet my Lords I would fain have your Lordships opinion and Commands thereon, before it be brought on the Carpet, which probably may be next Summer; nor must I too much rely on that expedient, but make use of it in conjunction with other things, to win them to the like measures that former Assemblys have taken least by insisting too highly and positively on it, I kindle a new fire in the province; for those paper bills will be in a multitude of hands, who will without doubts be very clamarous on that occasion.

One thing that the Country have for several years complained of, and born with much impatience, is, the long continuance of their Assemblys; and to it they in a great measure impute the party heats animossities and divisions, that have subsisted here, with the decay of ship building Navigation and Trade; to that (they say) it is owing, that many people have left this Province, to go to Carolina Pensilvania and the several Charter Govern^{ts} in New England; Whereby lands in the Country, and houses in town, are much fallen in their vallue and in their Rents; they look upon frequent Assemblys, as the best and surest protection of their liberties and properties, tis to the laws subsisting in the other Colonys, which I have mentioned, for frequent Elections, that they ascribe the happyness of those people, the increase of their Trade and the peopleing their Countrys in a few years past even beyond belief; whether this be the sole or the prevailing cause; it is certain that the people of this Province passionately wish to be put by a law, in the like situation with their Neighbours, whom I have mentioned hoping from thence to retrieve their declining trade Navigation and Ship Building, and to see the Province soon replenished with white people, and truly My Lords, I think it were to be wished that the Provinces under his Majesty's more immediate Government, were to be upon a foot as advantageous for the encouragement of its inhabitants and of Strangers to come and dwell in them, as the charter and proprietary Provinces, it is pity that this Province above all others, as it is a frontier, should not be well peopled If it was the french would not take those large strides they have done, and are dayly taking; they have already possest themselves of the Crown point, and built strong Stone fort there, which cutts off all communication between us and the Northern Indians, from whence we formerly had much bever, They have possest themselves of Niagra, whereby they may in a great measure intercept the trade of the Western Indians in their way to Oswego; they heve attempted, and had well nigh obtained, leave of the Six Nations to build a trading house at Tierondequat in the Sinnekes Country, which for the present I have happily prevented, and am now taking some measures to get from the Six Nations some land to build a fort on at that place, If I fail in that attempt, and the french succeed Adue to Oswego, and all our fur Trade, for Tierondequat will entirely cut off our Western fur Trade, and what the consequences thereof will be to the trade of England, Your Lordships know full well; Nor is the loss of our Trade all that we are to apprehend, for with it we shall loose the Six Nations: It is with much difficulty and a great Annual Expence to this Province in time of peace, without any assistance from our Neighbours, that we have and now still retain the fidelity of the Six Nations; who with us in time of a french war, are the only Barrier to New Jersey Pensilvania Maryland Virginia and Carolina; And yet even then they give us no aid, but leave us to defend ourselves as well as we can: A people thus circumstanced, ever ready to defend themselves in time of War, and to cover the other British Colonys, thus situated to carry on the fur trade, which centers in England, to the great advantage of that Kingdom; I presume to think, deserve Your Lordships countenance in

all things reasonable; for my own part My Lords I dare not interpose my opinion, whether their felicity depends so absolutely as they think it does, on their having frequent Elections; It is sufficient for me to tell your Lordships, that they themselves are fully possest with that opinion; and in that confidence they did the last Session pass an Act for triennial Assemblys, the Event whereof they are so impatient, that at their request I now send it to your Lordships by way of Boston before the other Acts can possibly be ingrost; hoping that by your Lordships favourable representation it may obtain his Majesty's Approbation, And that I may have it before the Assembly Sitts, which I shall be obliged to put off as long as I can for that purpose. They did likewise the last Session pass an Act, empowering themselves to appoint an Agent independent of a Governour or the Council; But the Council, who were not averse to exclude the Governor, would not be excluded themselves; they therefore made those alterations; but the Assembly would by no means agree to them, So that the Bill dropt. However the Assembly having their Triennial Bill very warmly at heart, sent their Speaker to me, desiring me to be their Agent, to negotiate his Majestys Approbation of their Bill, and especially of that Bill; I said what I could in excuse, founded upon their Bill for appointing an Agent, and upon other prudential considerations, But that would not do, he assured me that the house reposed an entire Confidence in me, which shew'd plainly that in the framing that bill, they had no eye to me, and they hoped I would not deny their request, I found myself obliged to give into their desire, hoping for your Lordships countenance and that from his Majesty's approbation, It may have a very good effect on the minds of the people

I do myself the honor to send to your Lordships a copy of their Resolve, If it were not for the reason mentioned Viz^{t} that the people are impatient of living in a Province, where Assemblys subsist without limitation of time, and for the inferences they deduce from it, It were impossible, one would think, that this Province should be so thinly peopled for our soil is as good or better, than that of our Neighbouring Colonys, they are to be purchased or patented on easier terms, the quit-rent is considerably less than in Pensylvania (the present growing Colony) our land taxes none, but such as are for the necessary charges of the respective Countys, which are annually assessed and levyed by themselves, and are very inconsiderable, No Province is more happy in its situation for trade and Navigation, this town is not above 21 miles from the sea, having a bold and safe Channel to it, for Vessels even of a large size, and an excellent harbour before the Town: Our Inland Navigation is inferior to none, for besides that to New Jersey and Connecticut, Hudson's river is Navigable thro the heart of the Province 150 miles from New York to Albany, from Albany to Schenectady is but 15 or 16 miles by land, and there you enter into the Mohocks river, which is Navigable for Canoes and Battows to the head of it, being about 120 or 130 miles from thence there is a short land carryage of a few miles to the Wood Creek, which leads thro the Oneides Lake to Oswego, and the Lakes and Rivers even to the Branches of Messasippi, it is from the Indians that inhabit near, and to the Northward and Westward of those Lakes, that we have our Beaver in exchange chiefly for goods of the Manufacture of England; with all these advantages this Province, if it were populous, might extend its trade to a far greater length, but it cannot be expected, that they will make Settlements in remote parts, while the lands nearer at hand are not inhabited for upon the first rupture with france, they must expect to quit them, and retire for protection, or to be cut of by the Enemy; who having already several forts between Canada and Mesasippi, have established a communication between those places which encompasses all the English Colonys on that side, will make them masters of all the Indians and Indian Trade, and enable

them to annoy our Colonys upon every occasion And yet my Lords the Assembly think that things are not come to that pass, but that they are still within a possibility of a remedy, from the increase of people among us; which they assert can no way so well be brought about, as by putting the inhabitants of this Province, upon a footing as near as possible with their Neighbours, in the frequent Election of their Representatives, This they say will above all things promote that great end, those who are allready removed from the Province will return to it again, others will [be] encouraged to come hither from abroad, ship building will again revive and in consequence Trade and Navigation will again flourish, Iron work (of which Oar we have great plenty) and the raising of hemp (for the produce whereof, the Province abounds in Swamps and Meadows the properest land for it) will be set on foot, either by private undertakings, or by publick encouragement; In a word my Lords they impute every evil to the want of this Act, and promisse themselves every Blessing from his Majesty's approbation of it; Be that as it will it is ceriain that the discontents of the people have grown in proportion to the length of time, that an Assembly has been continued, beyond what they thought reasonable I therefore humbly hope for your Lordships favourable representation of it to his Majesty for his Royal approbation, and for your Lordships pardon for this long address. I am with the highest honor and regard

My Lords

Your Lordships

most humble and

most obedient Servant

GEO. CLARKE

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers (S. P. O.,) IX., 14.]

New-York April 3rd 1738.

My Lord.

I have the honor to receive with Your Grace's letter to my Lord de Lawere of the 30th of Novr His Majty's instruction relating to the form of prayer for the Royall family which I have obeyed and with the papers relating to Burrows Master of the sloop happy, one Verplank a Mercht of this place who freighted the sloop some time ago came to me and acquainted me that he was informed by private letters that Burrows had not behaved as he ought at Sallee; Burrows being here I told Mr Verplank, that I would send a Messenger to bring him before me in Council and desired Mr Verplank to attend, Burrows was brought but Verplank did not come, not being willing as I was informed to shew himself in a matter whereof he had not proof, I examined Burrows however in Council, a copy of whose examination I do myself the honor to send to Your Grace: The Council were of opinion, that as no proof appeared against Burrowes he ought to be discharged; however judging there was some foul play, I directed the Judge of the Admirality to have him taken up, and to oblige him to give security to answer, he did so, and I have now directed the advocate General to file a libel against him. It is thought Burrows will not come hither again in haste, regardles of his sureties, he is a Bermudian, and properly belongs to that Island, tho' he often freights here.

I beg leave humbly to thank your Grace for Your Goodness and protection to my son, and to implore the same to myself, for tho' the difficulties I strugle with and my sufferings have been great, yet I dare not pretend to any merit that may hope for Your Graces notice, 'tis from Your Grace's goodness and Generosity only that I presume to hope for your protection, that after the heat and fatigues of the day, I may enjoy some fruits of my labours which have been greater and more uncommon then I believe any one in my station ever encountered, and had it not been for the hopes I boldly conceiv'd of your Graces countenance I must have sunk under them.

I had the melancholy news of her Maj$^{ty's}$ death in the public prints, long before I had the honor to receive your Grace's letter and had not only put my own family in mourning but signifyed my intention of so doing beforehand that the Town might be the like, I wish I could say, my example was universally followed, I am sure there never was an occasion which administred more real cause of grief to a people who admire virtue, love our constitution, are zealously attached to the protestant succession, heartily profess the religion of our country, and abhor the thoughts of despotick power: but yet My Lord there are some insensible of the greatness of this cruel stroke of fate, who had that indiference for it (to say no worse of them) that tho' they were all able, and rank themselves with the foremost of the principal people of this Town, yet did not put themselves in mourning, pretending that they had made themselves the joke of the Town for doing it on the late Kings death — tho' now they made themselves the contempt of it — I would not presume to trouble your Grace with this, if one of them whom I have formerly recommended to be of the Council was not in the small number, I mean M^{r} John Moore a Merch^{t} of this Town, but that circumstance provokes me, and I should think myself unpardonable if I was silent under it. For my own part My Lord, I never was so shocked as on this melancholy occasion, my heart and thoughts are full of it as I believe is every good subject's, and if any thing can attone for my inpertinence, it must be the distraction of my mind; in that confidence I humbly ask leave to subscribe myself with the greatest submission

My Lord

Your Graces

Most humble most obedient

and most dutiful servant

(signed). G W S. Clarke.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 16.]

New York June 2. 1738.

My Lords

I do myself the honor to send to your Lord^{ps} the Acts of Assembly past last Session, this being the first opportunity I have had to do it since they were ingross'd which took up much time; with them I also send the minutes of Council, I beg leave to mention the titles of the Acts, and to make such remarks on them as I presume to hope may give your Lordships satisfaction

N° 1. An Act emitting bills of Credit for the payment of the debts and for the better support of the Governour of this Province and other purposes therein mention'd.

The preamble will in a great measure let your Lordships into the reason and necessity of making this money and of my assisting to the bill there was no other possible way of discharging that load of debts which the insufficiency of the former Revenue had involved the Province in, trade and Navigation had for some years declined, and the Merchants of most wealth had chose rather to put out their money to interest @ eight p^r C^t then to employ it in Trade, and ship building Silver and Gold was sent to England, as fast as it came into the Country, to make returns to the Merchants who send goods hither to their factors, or to purchase goods therefore those of this place who Trade on their own account, and leaving little paper money of our own that of the Neighbouring Provinces was become the chief mediam of Trade here; nor was there any other remedy for it, except that of keeping the Silver and Gold in the Province, which is constantly exported to England, and that would be injurious to the English Trade and Merchants; High interest is in every Country is a great discouragement to Trade, and it has been so here, the Usurers your Lordships may be sure were not pleased with an Act which in its consequences might reduce the General interest of money, they foresaw twould have that effect and it has so far already prevail'd, that I am told some of them offer their money att Six p^r C^t from whence I promise myself the pleasure to see Trade and Ship Building revive and flourish. The Province grow populous, and the Settlement and Improvement of Lands carry'd greater lengths than could otherwise be expected; the benefit whereof England will largely partake, in the consumption of its Manufacturer the more populous the Plantations are, the more of those Manufactures will be imported to them; your Lordships will perceive that in the striking this money, there is some regard likewise had to Trade in easing it of so much as the interest of £40,000 will amount to over and above £8059 14 which is to be sunk by it; for imports on Trade has hitherto have the whole charge of supporting the Governour; Of this the Merchants have long complained, and often try'd to get it eas'd by laying some tax on lands, but the Country Members are too great a Majority against it; however they are willing that Trade should be eas'd, provided they bear us part of the burthen, As in the present case they do not, but on the contrary rèep all the benefit of having money on a low interest. this Province has been more cautious of making paper money, than our Neighbours not having struck any but upon extraordinary occasions and when there was no other possible way to provide for those exigencies; And its credit has always been better than theirs, and so it will be so long as they keep within the bounds of so much as their Trade necessarily requires, and it is generally acknowledged that their is not now paper money of their own enough for that purpose it is universally agreed that this Province abounds in Iron Oar, and in lands proper for raising of Hemp and yet both lye useless; Iron Works require considerable sums of money to bring them to perfection, or at least more than private persons who own those mines can command; and the lands fit for raising of Hemp being Swamps, Bogs and wet Meadows, cannot be cleared and drained but at a great expence; the Assembly had these things under their consideration the last Session, intending if they could to enable the proprietors to build furnaces and forges for pig and barr Iron; and to clear and drain the bogs and meadows, but the approach of winter would not give them time to do any thing in it; these works would employ a great number of people, and the produce make remittances to England, to the advantage and inlargement of its trade and Manufactures, and in time the Plantations might make the Trade to Sweden and Russia for those commodities less necessary

N° 2. An Act to facilitate and explain the duty of the loan Officers. This Act containing only directions to those persons in letting out the £40,000 need no Remarks.

N° 3. An Act for granting to his Majesty several duties towards supporting his Government in this Colony for One year &c. There are no other goods charged with duties by this Act, than such as in the former Revenue Bills have been subjected to a duty; and the duties given by this Act upon some commodities are less than they were formerly, which is done solely in ease to the Merchants, who have long complained of the hardships they have been under from the imports on trade, when the Trade of Neighbouring provinces has been exempted from duties; the deficiency which there will be from the difference between the present and past duties; they suppose will be made up, by the interest of the paper mention'd in my observations on the first Act.

N° 4. An Act to defray the necessary & contingent charges of the Garrison of Oswego repairing the same and for the better regulating of the fur Trade.

This Act except what refers to the repairs of the house or fort is pretty much the same with former Acts, that have been passed to defray ye charges of that Garrison but the house having fallen to decay for want of timely repairs, I have prevail'd with the Assembly to give money for its repair

N° 5. An Act to prevent the further importation of copper money into this Colony.

Many years have not pass'd since copper money was first known in this Province, at first necessity either for change or market, gave it a currency at an hundred pr Ct advance on the value it has in England, an English half penny passing here for a penny, whereas the difference of money in Bills of exchange is but £65 pr Ct or £165 this money for £100 Sterlg, this put the Merchant upon sending to England for it as the best commodity they could import, which has filled the Province so full of it that it becomes a griveance, large payments at this time being tenderd in it, and if a stop be not put to it will become too great a burthen, and the more of it a Merchant imports (as some will do it especially if others decline) the less of the English Manufactures will be imported for we have no merchants here who leave their money in England

N° 6. An Act for lowering the interest of money

This Act as it pass'd the Assembly reduced money from eight pr Ct to six but the Council alter'd it to seven pr Ct which the Assembly agreed to: excessive Usury being a great discouragement to the trade, and to the settlement or peopleing the Country, it was thought high time to reduce it by a law, and tho the paper money mentiond in the Act N° 1, to be let out at interest at 5 pr Ct would in effect reduce the interest of all money without this law, people might exact 8 pr ct.

N° 7 An Act for establishing and regulating Courts to determine causes of forty shillings and under

It has been a standing instruction to Governours to get such an Act passt it being a necessary one.

N° 8 An Act to restrain Tavern Keepers and Innholders from selling strong liquors to servants and apprentices and from giving large credit to others

The vice against which this Act is pointed, has prevailed of late years to too great a degree and servants and apprentices finding ready credit from such houses, are led from their duty to their masters, and from their own true interest, into an habit of idleness, that may in time prove ruinous to the whole Province if not prevented

N° 9 An Act for the further continuing an Act entituled an Act to let to farm the excise of Strong Liquors.

N° 10 An Act for the continuing an Act for settling and regulating the militia such act being past annually I will not take up your Lordships time in saying anything upon them

N° 11 An Act to revive an Act to amend the practice of the law.

This Act needs no other observation than this, that the lawyers having found means to evade the intention of the law which this Act revives, this explains and renders more certain that part of the former Act

N° 12 An Act to revive an Act entituled an Act to provide able pilots &c

N° 13 An Act to revive an Act entituled an Act for the better preservation of Oysters &c

These Acts being to revive Acts formerly pass'd and found useful need no observations

N° 14 An Act for naturalizing Johannes Lorents Corstens

N° 15 An Act for naturalizing Gustaple Martin Rhenell and others

The readiness the Assemblys have from time to time shewn to pass Acts for naturalizing foreign protestants has encouraged them to come to and settle in this Province, and will much contribute to the peopleing of it

N° 16 An Act to divide Duches County in precincts &c

N° 17. An Act to enable the Justices of the peace in that part of Orange County being to the Northward of the High lands to build a Court house and Goal for the said County at Goshen

N° 18. An Act for defraying the common and necessary charge of the mannor of Cortland in the County of West Chester.

N° 19. An Act for the better clearing and further laying into publick high Roads in Duchess County.

N° 20. An Act to enable the Justices of the peace in Ulster County to defray the charges of building a Court house and Goal for the said County and to enable them to furnish the same.

The five last mentioned Acts, being of a more private nature respecting only particular County's and places I will not take up your Lordships time in makeing any other remark upon them then that they appear to be necessary for the purposes intended.

N° 21. An Act for the further encouragement of a publick school in the City of New York for the teachin latin and Greeck and the Mathematicks

N° 22. An Act restrain Hawkers and Pedlars within this Colony from selling without licence.

Being confident that publick schools for the education of youth will always find countenance from your Lordships I will lay the two last Bills before you without any further remarks in their favour; I wish the Assembly had made the reward greater than it is like to be, from the last of these Bills. that money was apply'd before, to the like use but fell short of the sum intended, nor could the school master get any redress tho he petition'd for it or got some of his friends to move the house in his behalf; it is not likely it will bring in more now however the master having at present no other way of living is obliged to submit.

N° 23 An Act for confirming an agreement and exchange of lands in the township of Oysterbay formerly made between Samson Hawks and John Pratt deceas'd &c

This being a private Act the previous steps were taken as directed by his Majesty's Royal instruction and there is in it a particular saving to his Majesty His heirs and Successors and a general saving to others, as well as a clause restraining it from taking effect till it has received his Majestys approbation

N° 24. An Act to prevent damages by swine in the County of Orang and some part of Ulster County &c

N° 25. An Act to enable the Corporation of the City of New York to raise the sum of two hundred and fifty pounds for the use therein mentioned

N° 26. An Act further to encourage the destroying of wolves in the County of West Chester and to repeal part of the Act therein mention'd

N° 27. An Act for the preservation of Oysters at and near Richmond County in this Colony

N° 28. An Act for the better extinguishing fires that may happen within the City of New York.

These Acts being likewise of an inferior nature, reasonable and necessary for the purposes intended, I submit them to your Lordships, without giving you any further trouble about them.

I do myself the honor likewise to send to your Lordships the Naval Officers accounts to the 25 of March last; When the Assembly meets which will be in August I will then press them in the strongest manner I can to settle the revenue for a term of years, they will want to have an Act continued (which expires next year by its own limitation) whereon the credit of about £20,000 paper money subsists; if they will give a revenue, I will pass such an Act; but I will let them know that they must go hand in hand or not at all, I have already mention'd it to the Speaker and some others, who seem to take the thing right.

Coll: Cosby recommended to your Lordships Mr Paul Richards[1] and Mr John Moore, as fit persons to be of his Majesty's Council for this province in case of vacancys and I thought them so too; but I presume to say that from some observations I have made, I think it highly necessary that such of the Kings Officers as hold the most considerable posts should be prefer'd to seats at that Board, and I have found the want of them more than once in matters that concern the Government; whenever vacancys therefore happen I beg leave to recommend to your Lordships, Richard Bradly Esq: the Atrorney General with Mr Paul Richards and as to myself if your Lordships please to recommend my son who is now secrctary for the province to be Councillor in my room I am will to resign to him.

I do myself the honor likewise to send to your Lordships answers to most of the queries I received last year which I hope will be satisfactory to your Lordships the rest I will send so soon as I can get them which I hope to do soon I humbly recommend myself to your Lordships protection and am with the most profound respect and honor

My Lords

Your Lordships most humble
and most Obedient Servant
Geo: Clarke.

[1] Paul Richards, son of Paulus Richards, a merchant of New-York, was Mayor of that city from 1735 to 1739, and in 1743 was elected to represent his native city in the General Aesembly, of which body he continued to be a member until his death, in December, 1756. Having no children, he divided his property between his wife, his three brothers and the children of his two sisters. His will is in the office of the Surrogate, New-York, *Liber.*, XX., 151. He opposed the administration of Gov. Clinton, and was an intimate acquaintance of Chief Justice Delancy. *Smith's New-York*, II., 142. — Ed.

Answers of Enquiries of the Lords of Trade.

[New-York Papers, Gg. No. 17.]

Mr Clarke's Answers to Queries of Board of Trade. 2 June 1738.

3. The constitution of the Government is such as his Majesty by his Commission to his Governour directs, whereby the Governour with the Council and Assembly are empowered to pass laws not repugnant to the laws of England.

13. In the town of New York is an old fort of very little defence cannon we have, but the carriages are good for little, we have ball but no powder, nor will the board of Ordinance send any on pretence that a larg quantity was sent in 1711 for the Canada expedition which is 27 year agoe, much of it as for many years been troden under foot in the magazine the barrells having been rotten.

There is a battery which commands the mouth of the harbour whereon may be mounted 50 cannon this is new having been built but three years but it wants finishing

At Albany there is a new stone fort built the same year with the Battery at New York.

And at Schenectady a new fort built at the same time and both are sufficient for those places

In the Mohocks Country there is an old stockado'd fort of little use now tho country there was about being pretty well settled and nigh Schanectady

I have been trying to prevail with the Seneca's to let us build a fort at Tierondequat in their country which will more effectually secure the fidelity of the six nations and better preserve the fur Trade, and I hope at last prevail

18. We have no revenue establish'd at present

19. The ordinary and extraordinary expences of the Government are about £4000 a year.

20. We have a Militia in every county for the regulating whereof there is annually past an Act of Assembly

The people are generally expert in the use of fire arms. All the Officers are commissioned by the Governour.

The Mayors and Records of the Cities of New York and Albany hold their places by Commissions under the seal of the province so do the Sherriffs Corroners and Clerks of the peace.

The Chief Justice is usually appointed at home and by the Kings warrant to the Governour he gives him a Commission under the seal of the province the second and third Judges have no warrant the Governour appointing them himself under the seal of the province the Attorney General the Surveyor General of the lands and the Secretary or Agent for Indian affairs are appointed as the chief Justice is by the Kings warrant &c

The Secretary and receiver General have their Commission under the great Seal of England.

[New-York Papers, Gg., No. 18.]

Mr Colden's Answers to the Queries of the Lords of Trade.

Province of New York February 14. 1738

To the honourable George Clarke Esq: Lieut[t] Governour of the Province of New York &[c]

May it please your honour,

In obedience to your honours order in Council of the 5[th] of last month, referring to me the following Queries from the Lords of Trade and Plantations Viz[t]

"N° 1. What is the Scituation of the province under your Government, the nature of the "country soil and Climate, the Latitude and Longitude of the most considerable places in it, or "the Neighbouring french or Spanish settlements. have those Latitudes and Longitudes been "settled by good observations or only by common computations, and from whence are the "Longitudes computed?

N° 2. What are the reputed Boundaries and are any parts thereof disputed, what parts and by whom?

I shall that answer may be made thereunto, mention such particulars as occur to me, from my own knowledge or the credible information of others, on the subject matter of their Lordships Queries; and class them in the same order observed in the Queries.

The Scituation of the Province of New York is to the Eastward of the Province of New Jersey and Pensylvania and of the Indian Countries lying to the Northward and Westward of Pensylvania to the Southward of Canada, and the Indian Countries claimed by the french; and to the Westward of the Colonies of Massathusets Bay and Connecticut

The nature of the country is more uneven, hilly, stony and rocky, than that of the Provinces to the Southward of it, In some parts it is Mountainous. At about 40 miles from the city of New York Northward a chain of Mountains of about ten miles in breadth, commonly called the Highlands Cross Hudsons river runing many miles from the North East Southwestward. About 90 miles Northward from New York another body of Mountains rise on the West side of Hudsons river at about ten miles from the river and are commonly called the Hatts Hill mountains or Blow Hills, from these Mountains the most Northerly and main branches of Delaware river, some branches of Susquehana river, and several of Hudsons river take their rise.

The Southern part of the country that is from the sea on both sides of Hudsons river to within 20 miles of Albany, is generally cover'd with Oaks of several sorts intermixed with Wallnutts, Chestnuts and almost all sorts of timber according to the difference of the soil in several parts. I have seen in several parts of the country large quantities of the Larix Trees from whence Venice Turpentine is made about Albany, and as I am informed a great way up the Eastern branch of Hudsons river the land is generally cover'd with pines of several sorts. The Mohawks country or that part of this province lying on both sides the Western branch of Hudsons river is generally cover'd with beech maple and elm.

The settlements extend in length from the ocean Northward along Hudsons river and the Eastern branch of it, to about 40 miles to the northward of Albany, and westward along the western branch, to about four score miles West Northwest from Albany: so that the settled and improved part of New York extends about 200 miles in length but there are few

settlements anywhere to the Northward or Westward of Albany at any distance from the branches of Hudsons river.

In the Mohawks Country the levell of the land seems to be at the greatest heighth above the sea; for in that part of the country at about fifty miles West North West from Albany and 12 miles West from the Mohawks river some branches of the largest rivers in North America and which run contrary courses, take their rise within two or three miles of each other Viz^{t} 1st a branch of Hudsons river, which falls into the sea near New York after having run above 250 miles; 2. The Oneido river running Northward falls into the Oneido Lake which empties itself into the Cadarachui Lake at Oswego: from this Lake the great river S^{t} Lawrence takes its rise, which passing by Montreal and Quebeck empties itself into the Ocean opposite to Newfoundland. 3rd A branch of Susquehana river, which running Southerly passes through Pensylvania and Maryland, and empties itself into Cheasaspeak bay in Virginia.

The Province of New York has for the conveniency of commerce, advantages by its scituation beyond any other Colony in North America. for Hudsons river running through the whole extent of this province, affords the inhabitants an easy transportation of all their commodities to and from the City of New York, from the Eastern branch there is only land carriage of sixteen miles to the Wood Creek, or to Lake S^{t} Sacrement, both of which fall into Lake Champlain, from whence goods are transported by Water to Quebeck. but the advantages are from the western branch of Hudsons river at fifty miles from Albany the land carriage from the Mohawks river to a Lake from whence the Northern branch of Susquahana takes its rise does not exceed fourteen miles: goods may be carried from this Lake, in battoes or flat bottom'd vessells through Pensylvania to Maryland and Virginia the current of the River running every where easy, without any cataract in all that large space. In going down this river two large branches of the same river are met, which come from the westward and issue from the long ridge of mountains, which stretch along behind Pensylvania Maryland Virginia and Carolina commonly, called the Apalachy Mountains. By either of these branches goods may be carried to the Mountains, and I am told that the passage through the Mountains to the branches of the Mississipi which issue from the west side of these Mountains, is neither long nor difficult, by which means an Inland Navigation may be made to the bay of Mexico from the head of the Mohawks river there is likewise a short land carriage, of four miles only to a creek of the Oneida Lake, which empties itself into Cadarackui Lake at Oswego. and the Cadarackui Lake, being truly an Inland sea, of greater breadth than can be seen by the eye communicates with Lake Erie the Lake of the Hurons, Lake Michigan and the upper Lake all of them Inland seas, by means of these Lakes and the rivers which fall into them, commerce may be carried from New York through a vast tract of Land more easily than from any other Maritime town in North America. these advantages I am sensible cannot be sufficiently understood without a Map of North America. the best which I have seen, is M^{r} De L'Isles map of Louisinia publish'd in french in the year 1718, for this reason I frequently use the french names of places, that I may be better understood.

There are great quantities of Iron Oar in several parts of the Province, large quantities of Sulphur in the Mohawks country, salt springs in the Onondaga country lead oar has likewise been found in several parts of the Province but no where as yet sufficient to pay the expence of working

The Soil is less uniform as the surface is more unequal than in the more Southern Provinces; and consequently there is a great variety of Soil in several parts of the Province It is

generally proper for most sort of grain; as wheat Rye Barley, Oats Maiz or Indian Corne and Buckwheat. the wheat of this Province is generally heavier than that of the Provinces more so the Southward and yields a larger quantity and better kind of flower. The soil is likewise more fit for pasturage running naturally as soon as its cleard of the woods into clover and other good grass and is almost every where intermixed with good meadow grounds. These in several parts are of a deep rich black mold, and have when sufficiently drained produced hemp to great advantage, what I say of hemp is grounded on what has been done in New Jersey, and though the experiment has not been sufficiently tryed in this Province: I can see no reason to doubt of the like success.

On many of the branches of Hudsons river and near Albany on Hudsons river itself, there is a kind of soil made by the rivers and extends about half a mile in breadth along the rivers. This being maide the soil which the rivers let fall, is exceeding rich, yields large crops of the best wheat and the repeated overflowings of the rivers keep it always in strength.

The soil of the Mohawks country is in general much richer and stronger than that of the more Southern parts of the Province and exceeds any soil that I ever saw in any part of America. I am told the same kind of soil extends through out the Countries of the Onedoes, Onondagas, Cayugas and Senekas. This soil I am perswaded will produce any thing that can be produced in a climate where the winters are very cold.

The climate of the province of New York confinning it to the present Christian settlements extends from the 40th degree and thirty minutes of Latitude to the 43^{d} degrees 30 minutes. It is much colder in winter than those parts of Europe which lye under the same parallels of latitude The alterations in the Thermometer are very considerable as great perhaps as in any part of the world: but the changes in the barometer are not so great the mercury seldom descending so low as in Britain the changes of heat and cold passes through all the degrees of the thermometer. I have observed the cold so great, that the spirit in Patricks Thermometer which is fixed to his portable Barometer descended to the space of 8½ gradations below all the graduations marked on the Thermometer at the same time tho spirit in my florentine Thermometer was included intirely without the ball but so great a degree of cold happens seldom The peach and Quince Trees were in many places kill'd by it but the apple and pear trees are never hurt by the cold. Hudsons river so far as it is fresh is froze every year, so as to bear horses and carriages. The excesses in heat and cold seldom continue a week together or more than two or three days the greatest cold is in January and heat in July and August. Since the country has been settled and cleared the seasons are become more moderate

The spring comes late, it is seldom sensible before April. This it is probable is occasion'd by great quantities of snow to the Northward while everywhere are cover'd from the sun by thick forrests and by melting slowly produce cold Northerly winds. The spring being late of consequence is short, the succeeding warm weather produces a quick growth so that the face of the country in a short time becomes surprizingly changed, In the summer exceeding heavy dews fall almost every night. the wheat harvest is in the beginning of July.

The fall of the leaf is the most pleasant season in this country. from the beginning of September to december we have moderate weather with a serene sky the horison being seldom cover'd with clouds in that time.

		d	m
City of New York is in.....	Latitude	40	42
	Longitude	74	37

		d	m
Sandyhook a Cape in the ocean at the entrance into the Bay into which Hudson's river empties itself.....	Lat^{de}	40	25
	Long^{de}	74	37
Albany the second city in New York and most considerable place for the fur Trade.....	Lat^{de}	42	48
	Long^{de}	74	24
Oswego a Fort on Cadarackuy Lake from whence the fur Trade of Albany is carried on with the Western Indians.....	Lat.	43	35
	Long.	76	50
Pensylvania.....	Lat^{de}	39	58
	Long.	75	40
Boston	Lat.	42	25
	Long.	71	28
Quebeck the Capital of Canada.....	Lat.	46	45
	Long.	69	48
Montreal the second town in Canada and nearest New York.....	Lat	45	52
	Long.	74	10
Crown Point the place where the french have built a fort near the South end of Lake Champlain.....	Lat.	44	10
	Long.	74	00

The longitude of all these places is computed westward from the meridian of London.

The Latitude and Longitude of New York is from my own observations which I am satisfied are near enough to the truth for common use tho not made with such instruments care and accuracy as is necessary where the greatest exactness is requisite the Longitude is from the immersions and emersions of Jupiters first Satellite and the calculations made from D^{r} Pounds tables of that satellite; The Latitude and Longitude of Boston are from the observations made at Cambridge College in New England and those of Quebeck from the observations of the french there, those of other places are computed from their distance and scituation with respect to some one or more of these that are determined by observations

The Province of New York is bounded to the southward by the Altantick Ocean, and runs from Sandy hook including Long Island and Staten Island, up Hudson's river till the 41st degree of North Latitude be compleated which is about 20 miles above the City of New York, East New Jersey lying for that space on the west side of Hudson's river; from the 41st degree of Latitude on Hudsons river it runs Northwesterly to 41 49 minutes of Latitude on the most Northerly branch of Delaware river which falls near Cashiehtunk, an Indian settlement on a branch of that river called the fish Hill, thence it runs up that branch of Delaware river till the 42^{d} degree of Latitude be compleated or to the beginning of the 43^{d} degree. Pensylvania stretching along the west side of Delaware river, so far northward as to this parellel of latitude from the beginning of the 43 degree New York runs Westerly on a Parallel of latitude along the bounds of Pensylvania to Lake Erie, or so far West as to comprehend the country of the five nations (the french having by the Treaty of Utricht quitted all claim to these five Nations) there it runs along Lake Erie, and the Streights between Lake Erie and Cadarackuy Lake

and along Cadarackuy Lake to the East end thereof, from thence it continues to extend Easterly along the bounds of Canada to the Colony of Massathusets bay thence Southerly along the boundaries of the Massathusets bay and of the Colony of Connecticut to the Sound between Long Island and the Main, and then Easterly along that Sound to the Atlantick ocean.

The boundaries between New York Province and the Provinces of New Jersey and Pensylvania are so well described in the Grants to the proprietors of New Jersey and Pensylvania that by determining the proper parallels of Latitude on Hudson and Delaware rivers the boundarys between them may at any time be fixed with sufficient certainty. But as this has not hitherto been actually done, disputes now in several parts subsist between the Proprietors of the lands near the line which is supposed to run between New York and New Jersey from Hudsons river to Delaware river and it is probable the like disputes will happen between the inhabitants of the Provinces of New York and Pensylvania, when the lands near the line dividing them shall be setled.

The boundarys between New York and Connecticut are intirely setled by agreement between the two Colonies and by lines run at about 21 miles from Hudsons river and running nearly parallel to the general course of that river.

I know of no regulations for determining the boundaries between New York and Canada Its probable each will endeavour to extend themselves as far as they can, the french have lately made a wide step by building a fort at Crown point, which alarms the English Colonies by its being a pass of great importance By this pass only there is access to Canada from the English Colonys, and from this the french will be able in war time to send out parties to harrass and plunder the Colonies of Massathusets bay New York and Connecticut the building of this fort deserves the more notice by reason, it is not at half the distance from the settlements in New York that it is from the nearest settlements in Canada, If we are to Judge of the pretentions of the french, by the Maps lately published in france by publick authority they not only claim this part of the country and the countries of the five nations depending on New York, but likewise a considerable part of what is actually setled by the inhabitants of New York. The English Maps are such servile Copies of the french that they mark out the boundaries between the English and French with the same disadvantage to the English that the French do.

The boundaries between Massathusets bay and New York is every where disputed by the Massathusets bay charter that Colony is to extend as far west as Connecticut. The question is whether it shall extend as far West as to Connecticut, or extend as far West as Connecticut does the difference is so considerable that it takes in near a great a quantity of land as the whole of what is not disputed It is probable, they may at last make their claim good by the numerous settlements they have already and are daily making upon it.

Your honors knowledge of this country will easily discover any errors I may have committed, and will supply the defects. I have endeavour'd that what I have wrote may be of use to you in some matters wherein you are less conversant, and may assist your memory in others In hopes that it may and in obedience to your commands it is submitted by

Sir

Your most obedient and
most humble Servant
CADWALLADER COLDEN

Answer to four Queries referr'd by his Honor the Lieu^{t} Governour and Council of the Province of New York to the Commissioners of Indian affairs.

14. The six nations of Indians including the river and Shaachkook Indians are about 1500 fighting men of which number $\frac{1}{3}$ part incline to french interest being partly overawd by fear, The French have their interpreter continually among the Sinnekes who have a great influence over them and they often send messengers with presents to the Six nations

15 The Indians living near about Montreal and Quebeck are about 1000 fighting men besides a vast number of other foreign Nations amongst whom the french have sixteen Fortifications and Settlements.

16. The French Europeans settled on the river S^{t} Lawrence in Canada consisting of the three Govern^{ts} of Quebec Montreal and the three rivers are about ten thousand fighting men including thirty two companys of regular forces.

Spaniards none.

17. The Metropolis of New France is Quebeck a well fortifyed town being inclosed in a very strong wall and has a strong fort scituated on a Rock being the sea Port on the North side of river S^{t} Lawrence. About sixty leagues S^{o} West thereof is Montreal on the same side of the river which is regularly fortifyed and surrounded with a strong stone wall having battaries within and a large trench round the North, East and West sides thereof and to the South is the river. About seven leagues South from Montreal is a village called Chambley scituated on a river running out of Corlaers Lake which is by the French called Champlain, and emptys itself into the river S^{t} Lawrence at Soreil there is a good strong stone fort at the side of the river at the upper end of a basson.

The French have also a very strong fort to the West of Crown Point at the side and South East end of Corlaers Lake before mentioned called by the french La Pointe au la Chevlenres, about Seventy miles to the Northward of our farthest settlements, built in the year 1736 for a retreat when the french at any time should come to disturb or annoy our frontiers, either in our Province or New England. this fort is scituated on a rock having a very strong cittadel arch'd with stone three storys high, the wall thereof is about seven feet thick, it commands the entrance into the Lake before mentioned from the Southward and has four regular Bastions To the Southard is a large plain. They likewise by that means extend their limitts, having encroach'd upon land belonging to his Majesty

They have also a strong fort at Cadaruchque at the North East end of the Lake Ontario which emptys itself in the river S^{t} Lawrance, made there not only in order to entice the six nations of Indians to their interest and to have an awe over them but also for a retreat to the french when at any time they should attack or annoy the six nations and likewise to prevent the said Six Nations trom going to Canada in time of war.

They have also a strong fortification at Niagara which is at the South west end of Canada Lake below the Falls of that name about three Leagues, where there is a carrying place, it borders near the six nations which in a great measure comands the Indian Trade from the Westward and overawes the Sinnekes

They have several settlements and forts as above observed of less note among the upper nations of Indians on the chief passages as the Indians come from their hunting in order to intercept the furr trade and to keep an awe and comand over them.

Albany 4 Feb^{ry} 173$\frac{7}{8}$

New York in America.

The referred Queries from the Lords of Trade and Plantations, and the required Answer from the Collector of the Customs here, as by the Govern^{r} and Council of this his Majesty's Province, their order

QUERIES AS REFERED.	ANSWER AS REQUIRED BEING THEREUPON THE					
	Trading in General		Prest Number of Vessels.	Their Tonage pr Register.	And Number of Sea-men.	PRODUCTION AND MANUFACTURE.
	Inwards	Outwards				
What, is the Trade of this Province, the number of shiping, their Tonage, and the number of seafaring-men with the respective increase or diminution within ten years past? What, quantity and sorts of British Manufacture do the inhabitants annualy take from hence? What, trade has this province under your Goverm^{t} with any Foreign Plantation or any part of Europe besides Great Britain, how is that Trade carried on, What commodities do the people under Your Government send to or receive from Foreign Plantations? What, is the natural produce of the Country staple commodities and manufactures and what value thereof in Sterling money may you annually export?	First From Great Britain; European and Indn goods with Silk Manufactures cheifly. From Ireland; Linnen and Canvas as duely certify'd thence.— From British Collonies, enumerated commodities, Rum, Limejuice, Snuff, Pimento, Sulphur, Strawplatt, hides, Dr Skinns, Conchshells, Negroes, Mahogany and Ebeny. From Europe and the English and foreign settlements in America & Africa; Salt From Africa, within the proper limits directed Negroes, now less than formerly brot hither. From Madeira & Canary Islands, Wines the growth thereof. From Northn & Southn parts of this Continent, Cyder, Oil, Bluber, hops, flax seed, flax Bricks, Sealskinns and certain wro't tin and brasiery Lastly from Plantations not under his Majtys dominions, small quantities of Rum mollasses and sugar, since the act imposg new duties thereon. Snuff, spanish tobacco vitæ, Indico, logwood, and other dying wood Cocoa Nuts, Cotton, wool, &c	First to London and Out Ports the latter seldom, the enumerated goods and other merchandze legaly imported To Ireland: flax seed and Staves To other parts of Europe Grain, hides, Elke and Dr Skinns, Oxhorns, Sp: Snuff, Logwood, Indico, Cocoa nutts &c of foreign produce and Lumber To Madeira and Azores, Grain, Beeswax and Staves. To English districts Nth and Sth of this Continent and West Indies, provisions Chocolate Lumber, European goods with those species enumerated and such others as brought here for export regularly Lastly to the Newtral ports as St. Thomas Caracoā and Surenhaim, provisions Lumber and horses with provender.	53	82 15	852	First the country people here have for many years, and yet their homespun, so term'd of wool & Flax, to supply somewhat themselves with the necessarys of cloathing &c From the year 1715 or thereabouts, have bin rais'd linseed and Milld into Oil, hatts made of beaver furr, the exporting whereof prevented by the Act from Micklemass 1732, also lamp black work'd up. From the year 1730. Sugar baking and its refining have been for home consumption & transportation hence to other districts on the Continent and to the West Indies by regular certificates, and laterly the distilling of Rum and other spirits for these only are two houses erected. In this province are Mines of Iron and lead Oars the Manufacturing of which have bin of late proposed, and the raising of hemp likewise Lastly of these several besides, are grain of all sorts and other provisions, with Tobacco, a diminutive quantity naturally produced out of this soil yet being with such like brought hither from the Eastern and Western Parts of this Continent are Saliable and vended abroad cannot be distinguished as to ascertain the anual exporting or their value neither practicably could it be, it from the import thereof separated because their prices according to the markets currently varie.
	These on each Column are particularized as to quantitys as qualitys in the quarterly list of Trading Vessells, the transmitting wherof to their Lordships is from the Naval officer here constituted by the Governour, and also such lists duly to their honors the Commissioners of the Customs from their offices hence, thereby may appear that within the queries mentd to me, how seemingly little the increase or diminution differenceth respectively.					
What Methods are there used to prevent illegal trade, and are the same effectual?	Such as are prescribed in the principal laws of Trade and aptly used here, whereby to effect the Intendeet preventing any what contrary to those laws: And that upon any breach thereof; carefully inquired after by the Deputed officers, process is issued against the same in the Vice Admiralty or if happening sometimes, in the Courts of Records of this Province for recovery of the subject penalty on the Fraud or abuse committed.					

Examd & Compared at the Custom House New York with the Books of Reports and Entries therein.
pr Archd Kennedy
Collector
18 Jan: 1737.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 16.]

New York June 2nd 1738.

My Lord.

I beg leave to do myself the honor to acquaint Your Grace that, being informed that a considerable land and naval force was arrived at Augustine from Cuba in order to make a descent on Georgia, I sent for those Masters of vessells who were lately arrived from Augustine and Carolina, and examined them on oath concerning that affair, copys of whose examinations I do myself the honor to lay before Your Grace. The Council were of opinion that there was sufficient cause to embargo Kip and Griffiths sloops, the first was loaden with provision for Augustine and Griffith careening in order to take in a loading for the same place, both owned by on William Walton of this Town, who, as I am informed has supplied that place with provisions many years by contract—He protested against the Custom-house officers for refusing to clear ships, a copy of which protest I likewise do myself the honor to enclose. I have besides the restraint laid on those two sloops issued a Procl^m with the advice of the Council, forbidding all His Maj^ty's subjects in this province to supply Augustine with provision or ammunition. The obligation on M^r Walton to give security before his sloops be cleared at the Customhouse that they should not go to Augustine might have not answered the end, but as I was to act with the advice of the Council, the order was made pursuant to it, yet there being no sum mentioned wherein he was to be bound, I had it in my power to direct what the penalty should be. Capt^n Walton thought it hard, that his vessells entering and clearing for Carolina (as they always do for some English port) should be embargo'd, and other vessells that enter for the same place should be suffered to depart; but I can not think it either hard or unjust, Walton being the only person in this place whom the Spaniards permit to trade at Augustine, where he has a Factor who has resided there many years.

In this situation the business continued till the 19th of May, when Capt^n Tucker and one Coll. Hicks an Assembly man in Carolina who came hither with Tucker for his health being examined on oath the Council were thereupon of opinion that the Spanish expedition against Georgia was countermanded, in consequence whereof, an order of the Board was sent to the Collector to clear Griffith and Kip, and a Proclam^n was at the same time ordered to issue to recall the Proclam^n above mentioned.—

I have with all humility and the warmest gratitude to returne my most humble thanks to Your Grace for your goodness to my son, who I hope will by all his actions endeavour to obtain the continuance of Your Grace's protection, to which I humbly recommend myself—

I am with the greatest submission
My Lord
Your Graces most humble
most obedient and most dutiful serv^t
(signed). G. Clarke.

To His Grace the Duke of Newcastle.

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M. p. 63.]

To Geo. Clarke Esq^{r} Lieu^{t} Gov^{r} of New York.

Sir,

Since our last to You of June 22^{d} 1737. we have received yours of April 9th May 9th June 17th October 14th Nov^{br} 28th Feb^{ry} 18th 1737 and one of the second of June last, together with which we have also received the public Papers transmitted us by you.

As to what regards the several Acts, so soon as we have form'd our judgment on them you shall hear further from us, but in the mean time we must acquaint you that notwithstanding your pressing Instances in favour of the Triennial Bill back'd by your son's arguments, who has frequently attended us on that subject, we can by no means recommend it to his Majesty for his approbation, nevertheless we must desire you to use your utmost endeavours to obtain a settled Revenue agreable to your Instructions, in which undertaking we hope you will meet no difficulty but what you will be able to get over.

In compliance with Your Desire of having Your son of the Council, we have Recommended him to his Majesty, of which We doubt not but he has already given you notice. M^{r} Paul Richard has been likewise recommended.

We are glad to hear by yours of June 17th 1737 of your intention of meeting the Six Nations from which interview we promise to ourselves no small advantage.

In answer to that part of your letter dated Feb^{ry} 18th 173$\frac{7}{8}$ which regards the French, we must acquaint you that we are very much concerned to find they make such great advances and gain ground so considarably on us but we hope you will be able to prevent them from doing us any essential prejudice in regard to the Indian trade, especially if you obtain the Liberty of building the Fort you mention at Tierondequat.

We commend the great readiness you shew'd to assist Carolina in case of necessity, and the care you took in preventing any Provisions being sent to S^{t} Augustine and doubt not but upon every occasion you will use the same diligence in order thoroughly to defeat any sinister Designs of the Spaniards.

We must acquaint you that yours of Dec^{r} 17th, which you mention in yours of the 18th of Feb^{ry} last, never came to hand.

We shall expect the remaining answers to our queries, which you promise in your letter of the 2^{d} of June last by the first conveniency.

We expect likewise that once in Six Months you regularly send us a list of the Members of Council taking Notice at the same time of those that are dead or absent, and in regard to the last that you particularly remark from whom and for how long a time they have obtained a Licence of Leave, so far as you are able, and so we bid you heartily farewell, and are

Your very loving friends
and humble Serv^{ts}

Monson
Ja. Brudenell
R. Plumer.

Whitehall
August 9th 1738

Report against the Triennial Act of New-York.

[New-York Entries, M., p. 71.]

To the KING'S MOST EXCELLENT MAJESTY.

May it please Your Majesty

We have had under our consideration an act passed in your Majesty's Province of New York in December 1737 intituled "An Act for the frequent Elections of Representatives to serve in Gen^{l} Assembly and for the frequent calling and meeting of the General Assembly so Elected.

We have likewise had the Opinion of M^{r} Fane one of Your Majesty's Council at Law, and are of opinion with him that it is an Infringement of Your Majesty's Prerogative by taking away the undoubted Right which the Crown has always exercised of calling and continuing the Assembly of this Colony at such times and as long as it was thought necessary for the publick service, and as no reason has appeared to us to require such an Innovation, we humbly lay the same before Your Majesty for Your Royal Disapprobation,

Which is most humbly submitted

R. PLUMER
M. BLADEN
MONSON
JA. BRUDENELL

Whitehall
August 10th 1738

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 20.]

New York Sept^{r} 16. 1738

My Lords

The enclosed Accounts of the Numbers of people and numbers of Militia in this province compleat my answers to your Lordships queries

My son having signify'd to me your Lordships commands concerning the Bermudas petition against the tunnage Act past here in the year 1734, I have lay'd that matter before the Council and the Assembly; as it was an Act passed before I had the honor to have the Administration of the Government, so soon as they furnish me with their reasons in support of that Act, I will do myself the honor to lay them before your Lordships.

I do myself the honor to inclose to your Lordships my Speech to the Assembly, what they will do this year I cant tell, but next year they must give his Majesty such a Revenue, as former Assemblys have given, or suffer a large sum of their paper money to fall to the ground for want of a fond to support it; this is a staff which I have now in my hands, and ought by no other means to part with, than that of their giving such a Revenue as I have askt; and unless a Governor has now and then some advantage over these people, he will find it difficult to bring them to reason and their duty

The letter from the Commissioners of Indian affairs (of which the inclosed is a copy) I received a few days ago and have sent it to the speaker to be laid before the house, desiring them to enable me to defeat the designs of the french; for if they possess themselves of the Wood Creek not far from which they built the strong Fort mentioned in the letter at the Crown Point about fifteen years ago, they will become Masters of that part of the Country; And in case of the rupture, obliged all our planters to quit their habitations; and if they possess themselves of Tierondequat they will intercept all our Western furr trade that centers now in Oswego, and will by degrees become intire Masters of the whole six Nations; from hence your Lordships will perceive that these two posts are of the utmost importance to this, and every other of his Majestys Colony's in North America; and I presume to think that these attempts of the french to settle on this side of the Lakes and on any Lands belonging to the six Nations are no ways warranted by the treaty subsisting between the two Crowns, and I fear if some effectual method be not taken to obtain orders from the Court of France forbidding the Governour of Canada to pursue his intentions, the little that this Province will or can do may be ineffectual tho' my utmost endeavours shall not be wanting I am

with the highest honor and regard

My Lords

Your Lordships

most humble and most ob^{t} Servant

The Right Hon^{ble} the Lords of Trade

Geo: Clarke

Commissioners of Indian Affairs to Lieutenant-Governor Clarke.

[New-York Papers, Gg., No. 21.]

Albany 30 Aug: 1738

May it please your Honor

Sir

Since our last of the 25 instant Captain Cornelius Cuyler returned from Canada, who informed us that he has heard that the french have a design to settle severall familyes on the Wood Creek about 10 miles from our settlements next spring; that the Governour of Canada has sent several farmers there among which was Ilber, to view the land last fall and this summer as far as fort Anne; and that he has heard a report that the land is granted to the said Ilber and others, which we believe to be true; which settlements we conceive to be of very bad consequence to this province in general and to this city and county in particular; wherefore we earnestly entreat your honor to find out some proper expedient to prevent this encroachment of the french of Canada for we are perswaded if they be suffered to proceed in this their intention they will soon erect a fort at the Wood Creek: We hope that more notice will be taken of what we now mention, than of what we informed about the erecting the french fort at Crown Point, which is made as strong as any in Europe.

Some of the principal Sachims of the Sinneckes are gone to Quebeck, we fear to make over Tierondequat to Governour Beauharnois, who no doubt will take the first opportunity next

spring to erect a strong building there, then we are inclos'd on all sides, but we are yet in hopes that the french may be prevented in their designs. We heartily wish that the limitts between our Crown and that of france were settled which might prevent their continual encroachments on us. We are with respect

Your honors most humble Servants

PH: LIVINGSTON
MYNDERT SCHUYLER
RUTGER BLEECKER
ABR^m CUYLER
JOHN D'PEYSTER[1]
NICHOLAS BLEECKER
DIRICK TEN BRODILY

[1] JOHN DE PEYSTER was grandson of Ab-aham. *Supra*, IV., 777. He was born at New-York on the 14th of January, 169$\frac{3}{4}$, and moved to Albany, where he married Anne Schuyler, by whom he had two daughters; Anna, the wife of Volkert P. Douw and Rachel, the wife of Tobias Ten Eyck. *Depeyster, Gen.*, 111. He was Recorder of the city of Albany from 1726 to 1728, and Mayor from 1729 to 1731, and again in 1732. In 1734 he became one of the Commissioners of Indian Affairs; was subsequently a contractor with the Government to supply Oswego and other outposts with stores, and in 1755 one of the Commissioners for paying the forces in the expedition in which General Johnson defeated Dieskau. His name appears as a patentee of lands in Schoharie; also, in Herkimer county and near Schaghticoke. — ED.

[New-York Paper, Gg., No. 22.]

A List of the Number of Inhabitants both Whites and Blacks of each Species within the Province of New York above and under the age of ten years taken in the year 1737.

CITY'S AND COUNTYS	White Males Above 10 years	White Females Above 10 years	White Males Under 10 years	White Females Under 10 years	Black Males Above 10 years	Black Females Above 10 years	Black Males Under 10 years	Black Females Under 10 years	Total of each County	Total in 1731.	Since Increased		
New York	3253	3568	1088	1036	674	609	229	207	10664	8622	2042	3253	
Albany	3209	2995	1463	1384	714	496	223	197	10681	8573	2108	3568	
West Chester	2110	1890	950	944	304	254	153	140	6745	6633	712	1088	
Orange	860	753	501	433	125	95	38	35	2840	1969	871	1036	
Ulster	1175	1681	541	601	378	260	124	110	4870	3728	1142	8945	
Duchess	940	860	710	646	161	42	37	22	3418	1727	1691	674	
Richmond	488	497	289	266	132	112	52	53	1889	1817	72	609	
Kings.....	654	631	235	264	210	169	84	101	2348	2150	198	229	
Queens.....	2407	2290	1395	1656	460	370	254	227	9059	7995	1064	207	
Suffolk.....	2297	2353	1175	1008	393	307	203	187	7923	7675	248	10,664	
	17393	17518	8347	8238	3551	2714	1397	1279	60437	50289	10148		50289
													10148
													604 37

[New-York Papers, Gg., No. 28.]

List of the Number of Militia within the Province of New York taken Anno 1737.

COUNTYS	No. of Officers	No. of private men, Serjeants Corpls Drummers Included	No. of Officers in the Militia Troops	No. of Men	No. of Officers in the Artillery Company	No. of Men
New York	30	904	5	50	5	85
Albany	74	1436	5	52		
West Chester	130	1144	6	46		
Kings County	24	293	5	52		
Queens Do	32	958	5	50		
Richmond Do	13	231				
Suffolk Do	40	1291				
Ulster Do	31	601	6	54		
Duchess Do	24	521				
Orange Do	25	509	4	57		
Total	423	7888	36	361	5	85

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers, (S. P. O.,) No. 9, p. 26.]

New York Sept^{r} 16th 1738.

My Lord.

I do myself the honor to send to Your Grace a copy of my letter to the Lords of Trade, with a copy of a letter therein mentioned to be received by me from the Commissioners of Indian Affairs; I forbear to give your Grace a repetition of what I have said to their Lordsp^{ps} begging leave to referr to my letter to them, and submitting the subject matter of it to Your Grace's great and superior wisdom. I beg leave however to remind Your Grace that this is a frontier Province, which only can restrain the French from making incursions, in case of a rupture, into all His Maj$^{ty's}$ provinces to the westward of this, and humbly hope that Your Grace will be pleased to take us into Your immediate protection and consideration. We have garrisons but without an ounce of powder, and very few other warlike stores, without a carriage fit for service to mount any of our guns upon, nor have we had any stores sent us this seven and twenty years, too long a time for powder to remain good, had the necessary care been taken to preserve it. but for want of that care great quantitys have been trodden under foot.

I do myself the honour, to send to Your Grace my speech to the Assembly, wherein I have told them the state of a large sum of their paper money. If they do not give to His Maj^{ty} such a Revenue, and for as long a time as former Assemblys have given it. This is an advantage I have over them at present, which I think I ought by no manner to part with, and I humbly presume to hope for Your Grace's protection therein — I am with the highest honour and most profound submission My Lord

Your Graces

most humble, most obedient, and
most dutiful servant

His Grace the Duke of Newcastle

(signed) G Clarke.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 24.]

New York Oct^{r} 22. 1738

My Lords

I do myself the honor to acquaint your Lordships that on the 20 of this month I dissolved the Assembly after they had very fruitlesly set about seven weeks my reasons for so doing your Lordships will see in the inclosed papers to which I beg leave to refer, that I may not give you a double trouble; and I presume to hope your Lordships will think I could do no less

I acquainted them at first with the petition of the Bermudians against the tunnage Act past in 1734. desiring them as it was passed before my time, and as it was a matter of general concernment to the province, to furnish me with reasons to be lay'd before your Lordships in support of it, But I do not find that they gave themselves one thought about it, and I presume your Lordships will not expect that I should attempt to give any after I have recommended it to them, they suppose as I have been told, that your Lordships will let the Act lye as it is till you have their reasons, I cannot suppose that they intended by it to strengthen my hands, when I insist upon a revenue for a term of years; and yet if the bill be rejected it will have that effect, for both the money struck on that bill as well as that on the excise Bill will be without a fond to subsist on to sink it, and next year they must return to their senses or involve their country in misery; for it must I think, be expected that I should part with the advantages I have by this means over them on any other condition than that of their giving a revenue for a term of years: I humbly hope for your Lord^{ps} countenance herein and beg leave to subscribe myself with the highest honor

My Lords

Your Lorpships

most humble and most ob^{t} Serv^{t}

The R^{t} Hon^{ble} The Lords of Trade. Geo: Clarke

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 25.]

New York Nov: the 21. 1738

My Lords

Your Lordships letter of the 19 of August which I have the honor to receive gives me a fresh occasion of acknowledging the obligations I am under to you and in a very particular manner that of recommending my son to his Majesty to be one of the Council for this province hoping that his behaviour will be such as may recommend him to the continuance of your Lordships protection

I was sensible when I wrote to your Lordships about the trienial Bill that there was no great probability of its passing at home and what I wrote was purely on the pressing instances of the Assembly

Although my interview with the Six nations had not the effect I hoped for in their giving us some land to build a fort on at Tierondequat yet in other things I succeeded pretty well for

I got them not to permit the French to erect a trading house there nor suffer them to take any other footing among them and to give what encouragement they can to the remote Nations of Indians to bring their beaver to Oswego.

I am equally sensible and thankful for the honor that your Lordships to me in approving of my conduct in the affair of Carolina and S^{t} Augustin and your Lordships may be assured I will upon every occasion exert myself for his Majesty's Service. I do myself the honor herewith to send your Lordships the minutes of Council and the votes of the Assembly during their last sitting I was obliged to disolve them for their insolent attempts and his Majesty's authority I intend to call another Assembly to sitt in the Spring who I hope will come together with better dispositions and a truer sense of their Countries wants and interest but however they are disposed, I will keep the Excice Act in my power for if they are not easily to be managed by that advantage which I have over them without it they would be ungovernable. The tonnage Act of the year 1734 against which the Bermudians petition'd your Lordships being past before I had the Governm^{t} it was thought proper that I should pass that matter before the Council and Assembly as I did at the first meeting that they might furnish me with reasons in support of it, but your Lordships will perceive by the enclosed votes how little notice they have taken of it I think I have done my duty what ever they have done and I presume your Lordships will not expect after this that I should take upon me to answer for the country whom it most concerns and to whom it most properly belongs to speak in its defence and who possibly may not well like what I might say in its behalf I humbly recommend myself to your Lordships protection and am with the highest honor and regard

My Lords

Your Lordships

most humble and most

obedient Servant

The R^{t} Hon^{ble} the Lords of Trade. GEO: CLARKE

Veto of the Triennial Act of New-York.

[New-York Papers, Gg., No. 28.]

At the Court of S^{t} James's the 30 November 1738

PRESENT—The KINGS MOST EXCELLENT MAJESTY in Council

[Archbishop of Canterbury,	Earl of Albercorne
Lord Chancellor,	Earl of Silkirk
Lord President,	Lord Harvey
Duke of Montague,	Lord Harrington
Earl of Pembroke,	M^{r} Speaker
Earl of Grantham	Sir Paul Methuen
Earl of Cholmondley	Horatio Walpole Esq:]

Whereas by Commission under the great Seale of Great Britain the Governour Council and Assembly of his Majesty's Province of New York are Authorized and Empower'd to make

Constitute and Ordain Laws Statutes and Ordinances for the Publick peace Welfare and Good Government of the said Province Which laws Statutes and Ordinances are to be as near as Conveniently may be Agreable to the Laws and Statutes of this Kingdom and to be transmitted for His Majesty's Royal Approbation or Dissallowance And Whereas in pursuance of the said powers An Act was past in the said Province in December 1737 Entituled

"An Act for the frequent Election of Representatives to serve in General Assembly
" and for the frequent calling and meeting of the General Assembly so Elected

Which Act together with a representation from the Lords Commissioners for Trade and Plantations proposing the repeal thereof having been referred to the Consideration of a Committee of the Lords of his Majestys most Honourable Privy Council for Plantation Affairs the said Lords of the Committee did this day report to his Majesty as their opinion that the said Act ought to be Repealed. His Majesty taking the same into his Royal consideration was pleased with the Advice of his Privy Council to declare his Dissallowance of the said Act and pursuant to his Majestys Royal pleasure thereon Exprest the said Act is hereby Repealed Declared Void and of none effect. Whereof the Governour or Commander in Chief of his Hajesty's Province of New York for the time being and all others whom it may concern are to take Notice and Govern themselves accordingly

[J. VERNON[1]]

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 79.]

To George Clarke Esq^r^

Sir.

Having lately received a letter from the Lieu^t^ Governor of Virginia[2] giving us an account of the endeavours that he has used to settle a good understanding between the Indians under the Government of New York, commonly called the five Nations, & the Cherokee & Catabaw Indians lying on the back of Carolina and Georgia and complaining that after by your assistance the time and place of Treaty had been appointed, and a Cessation agreed to between them, the Five Nations had broke off the negotiation by a treacherous attack on the Catabaw Indians & did afterwards murther eleven English Inhabitants dwelling on the back of the mountains, adding at the same time that he had sent to demand satisfaction for the said murther but had not been able to obtain any, We thought it our Duty to write you on this Subject.

We cannot help observing upon this occasion that it seems very extraordinary to us, that these five Nations who are protected by the British Government should employ their force to destroy other Nations of Indians under the same protection which is effectually doing the work of our common Enemy.

[1] The names within brackets, in the above Document, are added from the Journals of the New-York Assembly, I., 753.
[2] Sir WILLIAM GOOCH was Governor of Virginia from 1727 to 1749. — ED.

We must therefore recommend it to you in the strongest terms to employ all your credit and Authority first to obtain satisfaction for the murthers committed upon his Majesty's Subjects and in the next place to facilitate a lasting friendship not only between the five Nations and the Cherokee and Catabaw Indians but also to recommend to the said five Nations to live in good Intelligence and Correspondence with all the rest of the Indian Clans in America dependant upon the British Government.

And as we apprehend nothing can more effectually contribute to this end, than the restraining the several Indians within their proper bounds, agreable to former Treaties, We send you inclosed a Copy of that made between Col° Spotswood[1] and the five Nations in the year 1722 to which we apprehend they have paid but very little regard upon this occasion.

We take this opportunity to acquaint you that we have received yours of the 16th September last, and immediately communicated to His Grace the Duke of Newcastle an Extract of it together with a Copy of the letter to you from the Commiss^rs of Indian Affairs that the same might be laid before His Majesty.

But we must desire you would in Your next give us a more particular description of the situation of the Crown Point and of Tierondequat in regard to New York there being no notice taken upon our Maps of either of these places.

We wish you Success in Your undertaking and hope the Assembly will concur with you in Settling a proper Revenue for the support of the Government agreeable to Your Instructions, and so we bid you heartily farewell and are,

Your very loving Friends
and humble Serv^ts
M. Bladen
Ar. Croft
R. Plumer.

Whitehall
Dec^br 6th 1738.

[1] Sir Alexander Spotswood, Kt., became Lieutenant-Governor of Virginia in 1710. In 1714, he successfully accomplished an exploration across the Blue ridge, which obtained for him the honor of Knighthood. On his return he proposed the establishment of a chain of posts for the protection of the frontier so as to cut off the communication of the French with the Western tribes; he attended a Conference with the Indians at Albany in 1722, and in 1723 was superseded by Hugh Drysdale, Esq., owing, it is said, to the intrigues of France at the British Court, joined to the importunities of several leading familes in Virginia, to whom his intimate knowledge of the country and of its true commercial and political interests had rendered him obnoxious. *Burk.* He still continued to reside in Virginia and was afterwards appointed Deputy Postmaster-General of the Colonies. *Morris' Papers*, 70. In 1739, he was appointed to command the Colonial troops in the expedition against Carthagena, but his career was cut short by his death, on the 7th June, 1740. Colonel Spotswood was an officer of rare talent and a scholar of high attainments; urbane and conciliating in his manners, innocent in private life, unimpeached in his administration, a friend to the liberties of the Colony without losing sight of the interests of the parent country; a skilful and enterprising soldier, he appears a star of no ordinary magnitude amidst the darkness by which he was surrounded. His policy towards the Indians was humane and wise; many of them were educated and instructed in trades by his orders, and on the whole he has descended to us with scarcely sufficient alloy to constitute a human character. *Burk.*

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M. p. 82.]

To Geo. Clarke Esq^r^

Sir.

Since our last letter to you dated the 6^th^ December (a Duplicate whereof is herewith inclosed) we have receivèd two from you, one dated October 22^d^ 1738 the other the 21^st^ of November following.

In the first you acquaint us with your having dissolved the Assembly, and at the same time, for your reasons of so doing, you refer us to the papers enclosed therein; We have considered them very maturely, and thereupon have thought proper to give you by the first opportunity this early testimony of our approbation of Your conduct in this Affair, You certainly have acted as became you both in communicating Your Instructions to them and in adhering to it yourself.

We hope when the next Assembly meets you will find a better disposition in them to concur with you in such measures as are necessary for the support of the Government, and we would recommend to you to cultivate a good understanding with them but should you have the same Difficulties to struggle with, we still promise ourselves that no consideration will induce you to come into a Bill for sinking the Paper Money unless a proper provision be made for the support of the Government.

As to the Answer you made to part of the Message sent you by the Assembly that you could not give Your consent to the Appropriation of the Money, we must observe that the Right of issuing of Mony when given by the Assembly belongs to you as His Majesty's Governor, as does also the appointing the Officers necessary for that purpose but the Appropriation of it is in the Assembly agreeable to the Constitution of England.

In Your other Letter which takes notice of Your Interview with the Six Nations, and of the advantages you hope to receive from it, thô not so great as you had expected, gives us another opportunity of commending Your conduct, and we doubt not but you will continue to use the same Vigilance as you have hitherto done in preventing the French from gaining any footing among the Indians, as nothing can be done of that nature which will not affect our commerce in the most sensible manner. So we bid you heartily farewell and are, Your very loving Friends

& humble Serv^ts^

Monson
M. Bladen
Edw^d^ Ashe
R. Plumer.

Whitehall
Feb^ry^ 6^th^ 173$\frac{8}{9}$

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Paper, Gg. No. 29.]

New York April 18. 1739

My Lords

I had the honor last night to receive your Lordships letter of the 6 of December last, which I will do myself the honor more particularly to answer by the first ship bound to London; but there being one just upon the departure and impatient to sail for Holland I beg leave only at present to acquaint your Lordships that the small pox being in Town, and nine of the twenty seven that compose the house of Representatives who have not had it, they desired my leave to adjourn to a small village about two or three miles off, but that would not quiet their fears; wherefore having past a short bill to revive the Act past in 1737 for laying duties on Rum &c, and one to restrain hogs from running at large I was obliged on their request to give them leave to adjourn to the fourth Tuesday in August, hoping by that time the small pox will be entirely gone, what I shall then bring them to I cannot yet tell for the province is yet very quiet, and people live well with one another, yet your Lordships will see by an inclosed printed paper what their prevailing thoughts are by which those who have contrary notions are swayed against their will; that paper came out the day before the election for this town, and was read publickly to the candidates. I had no time to answer it and to get my answer printed before the election but in two or three days I published the inclosed answer. Judging it highly necessary that some notice should be taken of it to prevent its ill effects, if it might be I likewise do myself the honor to send to your Lordships my speech and the Assemblys address. I am with the highest honour and respect

My Lords

Your Lordships

most humble and

most obedient Servant

Geo: Clarke

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers, (S. P. O.) No. 9. p. 86.]

New York April 18th 1739.

My Lord.

I beg leave to inform Your Grace, that the Small Pox being in Town and one third part of the Assembly not having had it, I gave them leave to sit at Greenwich, a small village about two or three miles out of town, but there too their fears of that distemper continuing, I was obliged, on their request, to give them leave to adjourn to the fourth Tuesday in August, having first past a bill to revive an act past in 1737 for laying duties on wine ettc. and another of a more private nature: what they will then do I cannot yet tell: Your Grace may be pleased to observe by an inclosed paper that, much pains is taken to keep them from going

right, and in truth those notions are too predominant in the province: that paper was published the day before the election in the Town, and I could not possibly get my answer printed before the election, however judging it necessary not to let it go unobserv'd, I got the inclosed answer printed in two or three days, Hoping to expel the poison which the other paper, had infused into the minds of the people; If I have failed either in matter or manner, or both, I humbly hope your Grace will impute it to my want of ability, for I wrote it in the integrity of my heart: I do myself the honor to send your Grace my speech and the Assembly's address. I am now almost two years in arrear of my salary and perquisites, and am daily running in debt to support a numerous family, but let my necessities be what they will, I beg leave to assure your Grace that nothing shall divert me from my duty to His Majᵗʸ, and that I will leave nothing unattempted to bring the Assembly to theirs, and I hope patience and moderation may at length have an happy effect. I beseech Your Grace to be assured that I will not do (as I have not hitherto done) any thing to occasion disturbances here, or complaints at home. The people are very quiet, and easy in all things except that of giving a revenue for a term of years, that being the point in dispute between us. I humbly recommend myself to Your Graces protection and am with the most profound respect and honor—My Lord—Your Graces—most humble, most obedient and most dutiful servant (signed). G Clarke

His Grace the Duke of Newcastle—

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 31.]

New York April 24. 1739.

My Lords

The ship by which I did myself the honor to write to your Lordships the 18 of this month being detained by the owners longer than they intended I have since that day the honor to receive your Lordships letter of the 6 of February for which I give you my most humble thanks, finding myself by your Lordships approbation of my conduct fortifyed against the difficulties I have yet to encounter, for I shall have a hard strugle about the Revenue and strugle I will.

The Assembly by the word appropriation mean more then your Lordships conceive they do they mean by it to assume to themselves the power in the Revenue bill to ascertain every Officers salary, and to apply and issue the money, they give to those very Officers and uses and no other thereby making the Governour and every officer in this Government dependant on them alone, and wresting from the Governour the right of issuing the money (which they give for support of Government) as hath hitherto been done with advice of the Council, pursuant to the Kings instructions they have far above twenty years upon their giving a Revenue ascertained every Officers Salary in their votes and the Governours have very seldom in issuing the money varyed it, but now they would go a step further and in effect assume to themselves all power and this I presume your Lordships will think I ought not to give into let them appropriate the money the give for support of Government to that use only and the money they give for other services to those uses only, this I never did oppose and it has been the

constant practice of Assemblys and I suppose is what your Lordships mean by appropriation I do assure your Lordships that will not fail to cultivate a good understanding with the Assembly it being what I have much at heart.

I will write to the Commissioners of the Indian affairs to inquire into the murders said to be committed in Virginia by some of the Six Nations, to exhort them to stay at home and to dispose them to a solid peace, wherein I will spare no pains (and by the first London ship I will describe to your Lordships the situation of the Crown point and Tierondequat I humbly beg the continuance of your Lordships protection and am with the highest honor and regard

My Lords

Your Lordships

most humble and

most obedient Servant

GEO. CLARKE

P. S. I have received his Majesty's dis-approbation of the trienuel Bill.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 42]

New York May 24th 1739.

My Lord.

I do myself the honor herewith to send your Grace a copy of my letter to the Lords of Trade.

I formerly wrote to their Lordships about Tierondequat and the Fort built by the French at the Crown point, an extract of which letter they acquaint me they have laid before Your Grace but could not find those places in their Maps, I now point them out in a small map which I send to them: I likewise presume to send Your Grace a copy of the papers mentioned in my letter to the board of trade relating to the boundaries of this province and that of the Massachusetts: I humbly hope Your Grace will be pleased to give us your protection therein, that they may be kept within their proper bounds and within the rules of justice to the Indians.

I beg leave likewise to inform Your Grace that the Commission formerly granted by his late Majtie for trying of Pyrates is nowhere to be found upon all the enquiry I have made both of Govr Cosby's private secretary and the officers of admiralty: I have hitherto had no occasion to make use of it and hope I shall not, but least it so happen, that I may have occasion to hold such a Court. I presume to give Your Grace this information tho' if the commission were to be found, I am not sure that I could hold a court it being a commission from King George the first. I humbly implore Your Grace to keep me in Your protection and that you will permit me to subscribe myself as I am with the most profound submission

My Lord

Your Graces

most humble, most dutiful and

most obedient servant

His Grace the Duke of Newcastle.

(signed). G CLARKE.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 32.]

New York May 24. 1739

My Lords

I do myself the honor to send to your Lordships a small Map of the country taken I suppose from M^r^ De Lisles, tho it be not correct it will serve to shew your Lordships where the fort built by the french at the Crown point at the entrance of the Lake S^t^ Sacrament and where Tierondequat on Cadaracqui or Ontario Lake are situated from whence you may find those places in your own Maps

Tierondequat in the inclosed Map was placed nearer to Niagara than to Oswego whereas it is at most but fifty Miles from the latter, and the Brook which goes by thât name I have now laid down in Red ink at that distance from Oswego, the Fort at the Crown point is also drawn in Red ink: the French pretend to claim all the lands so farr as the Spring heads of any rivers or waters that empty themselves into any of the Lakes that disembogue into the river of S^t^ Lawrence if these pretentions had any foundation the greatest part of the Six Nations would be theirs, they would come close to Virginia and other Colonies and confine the English Dominions to the limitts of our present settlements, but I presume to think those their pretensions vain and that if water is to be the boundary between them and us that the Lakes and the rivers into which those Lakes disembogue themselves are the most natural and proper boundary and much or more in favour of the french then in reason and equity they can expect for the Sinnekas claim a large country on the opposite shore of the Lake Cadracqui which they conquered long agoe from the Nations of Indians their inhabiting it

I lately received a letter from M^r^ Belcher the Governor of the Masathusets with a resolve of their Assembly concerning the ascertaining the boundaries between the two Provinces with my answer thereto all which I inclose that being as much as the Council thought I could say at present and I expected M^r^ Belcher would wait till I had laid it before the Assembly and that they had provided for the expence on our part and hoped to have heard from him in answer to my letter, but I have as yet received none, on the contrary without staying for the sitting of our Assembly several people of their Colony have gone within 16 miles of Hudsons river near Albany with a Surveyor to lay out some lands (for one or more Townships) as I am informed some of which were granted by the Governor of this Province in the year 16SS and some of them purchased of the Indians by lycence from Gov^r^ Montgomery and now too granted, the owners of those lands hearing what the New England people were doing went on the spot and forbad them The Indians who had sold the lands to our people drove the Surveyor and those who were with him away being exasperated at the New England men who without any purchase pretended to survey those lands If the New England people have formerly taken such steps I am not surprized that they have drawn upon themselves bloody and Indian Warrs, our method is very different from that we never grant lands until they have been bought of the Indians and until deeds are executed by them and those deeds laid before the Gov^r^ and Council

I wish with all my heart that our boundaries were settled, but in order to do that I conceive I must not only be assisted with money by the Assembly but I must have an instruction from his Majesty for that purpose and untill the boundaries are settled I presume to hope your Lordships will think it proper to obtain his Maj^ty's^ order forbidding any future surveys or

settlements to be made by the New England people on their frontiers towards this Province for if they go on to settle it will be more difficult on a treaty to throw them back to their proper bounds, and the more they encroach the more quite rents will the King lose in this Province and in truth my Lords I doubt whether the New England people really desire to have their limitts ascertained since they serve themselves in this manner without it, for this is not the first time they have made the same request as the Gov^{rs} of this Province and then without waiting have made out lands and settled them I mean some lands which had many years before been granted here, besides they well know too that the Assemblys of this Province are averse to the giving of money for such purposes as the lands are the Kings and not theirs, and therefore think they may safely go on without fearing to be disturbed by our and their fixing the boundaries however they ought to beware of provoking the Indians by taking their lands either by fraud or force lest they begett a new warr with them which in its consequences may effect us.

I do myself the honor to send your Lordships the Minutes of Council with the only Acts of Assembly past in April last

One to prevent swine running at large an usefull Act for the coun^{t}ies to which it is confined

The other for laying some small duties on wine &^{c} which will put some money into the Treasury ag^{t} the Assembly think fitt to pay our long arrears I humbly recommend myself to your Lordships protection and am with highest respect and honor

My Lords

Your Lordships

most humble and

most obedient Servant

GEO: CLARK

P. S. The Naval officer has just brought us his accounts which I do myself the honor to send to your Lordships

The R^{t} Hon^{ble} the Lords of Trade

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 47.]

New York June 15th 1739.

My Lord.

A few days ago I received a letter from the Commissioners for Indian affairs at Albany, a copy whereof I do myself the honor to send to Your Grace; wherein you may be pleased to observe, if the intelligence be true, that the French are going to settle on the wood creek, which lyes between a Fort they lately built at the Crown point, and Albany; whereupon I wrote to the Commissioners (a copy of which letter I likewise do myself the honor to send to Your Grace) but as I do not conceive that any thing I can represent to the French will divert them from making those settlements, if they really intend to make them I thought it my duty to

inform Your Grace of it. The lands whereon the French propose to settle were purchased from the Indian proprietors (who have all along been subject to and under the protection of the Crown of England) by one Godfrey Dellius and granted to him by patent under the seal of this province in the year 1696. which grant was afterwards resumed by act of Assembly whereby they became vested in the Crown; on part of these lands I proposed to settle some Scotch Highland familys who came hither last year, and they would have been now actually settled there, if the Assembly would have assisted them, for they are poor and want help: however as I have promised to give them lands gratis, some of them about three weeks ago went to view that part of the Country, and if they like the lands I hope they will accept of my offer (if the report of the French designs do not discourage them:) depending upon the voluntary assistance of the people of Albany whose more immediate interest it is to encourage their settlement in that part of the Country.—

About three weeks ago I sent to the Lords of Trade a map wherein the French Fort at the Crown point was laid down, It was the only one I had nor can I get another, if that arrives safe as I hope it will and Your Grace will be pleased to order it to be laid before you, you will have a clearer view of its situation then I can otherwise give. I humbly recommend myself, to Your Graces protection, and am with the most profound honor and submission

My Lord

Your Graces.

most humble, most obedient and
most dutiful servant

His Grace the Duke of Newcastle (signed). G Clarke—

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 85.]

New York June 15. 1739

My Lords

I do myself the honor herewith to send to your Lordships a copy of a letter I received from the Commissioners for Indian affairs with my answer, the lands that the french talk of settleing were purchased from the Indians and granted by patent under the Seal of this Province in the year 1696 to one Godfrey Dellius which was afterwards resumed by Act of Assembly whereby they became vested in the Crown, And I presume to hope upon a representation of the matter at the Court of France that orders will be given to the Governour of Canada not to make any settlements on this side of the Lake, these lands your Lords[ps] will perceive by the Map I sent you, lye between the French Fort at the Crown point & Albany where I intend to settle some Scotch Highland familys who came hither last year having promised to give them lands gratis some of them went about 3 weeks ago to view the lands but are not yet returned, but I doubt when they are informed of the designs of the french they will be discouraged It is the interest of the Province in General and more particularly of the people of Albany to encourage those Scotch to settle there by giving them some assistance for they are very poor, yet I find no

disposition in the Assembly to do it, what the people of Albany will do by a voluntary contribution is yet uncertain

I do myself the honor to write to his Grace the Duke of Newcastle mentioning to him the Map I sent your Lordships whereby he will see the situation of the wood Creek; I humbly hope your Lordships will be pleased to take the matter into your consideration and to give me directions how to act herein the only information the Commissioners for Indian affairs have at present is from an Indian and such intelligence is not always to be depended on, however as their is some probability that the French will now or soon make such an attempt, I thought it my duty to lay this before your Lordships

I recommend myself to your Lordships protection and am with the highest honor and regard

My Lords

Your Lordships

most humble and

most obedient Servant

GEO: CLARKE

The R^t^ Hon^ble^ the Lords Com^rs^ for Trade and Plantations.

Commissioners of Indian Affairs to Lieutenant-Governor Clarke.

Copy

Albany 7 June 1739

May it please your Honor

We cant omitt acquainting your honor that we are informed by an Indian who came hither from Canada that the intend^t^ accompanied with 30 batoes with four Frenchmen in each were going to Crown point and from thence designed to go to setle sundry familys french on land along the Wood Creek being the same where your honor intended to place the Scotch Highlanders, we thought it our duty to send an express to go up as far as the fork were Fort Anne was where we are told that Leber and some other French are now. if this report be true which we are of opinion will prove so, we should be glad to know your honors pleasure what must be done, in case the french attempt to settle those lands and incroach so far on his Majesties Empire in taking possession of his frontiers in those parts. As soon as our Messenger return's shall acquaint your Honor with his report, mean while we are with esteem

Your Honors most humble Servants

PH: LIVINGSTON

EDW^d^ CLARKE

EDW^d^ HOLLAND

DIRCK TEN BROECK

From the Com^rs^ of Indian affairs at Albany.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 50.]

New York Aug: 30th 1739.

My Lord.

On the 16th inst: I had the honor to receive your Graces letter of the 19th of June last inclosing His Majtys warrant authorizing me to grant commissions of reprizal on the Spaniards; the publication whereof in a proclamation which I issued the next day and the London news-papers of the month of June, which came to Town two days after, alarmed the people of this place, with apprehensions of an open rupture with spain, but more especially with fears of seeing the French take part with them against us, however that may be, I think it my duty to lay before Your Grace our present wants, which I beg leave to do by sending Your Grace a copy of my letter to the Lords of Trade and of the account of our stores, presuming their Lordps will make such a representation to Your Grace, as they think may be necessary to supply the Garrisons and to keep the six Indian nations steady in our interest. I will not trespass further on Your Grace's time, since I have nothing more to lay before Your Grace, than what I have said in my letter to The Lords of Trade — I humbly recommend the province, and myself to Your Graces protection — I am with the most profound submission and honor

My Lord
Your Graces
most humble, most dutiful and
most obedient servant
(signed). G Clarke.

His Grace the Duke of Newcastle.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 36.]

New York Aug: 30. 1739

My Lords

The orders I have received to Grant letters of marqz and reprizal aganst the Spaniards, and the English new papers of the month of June have possessed the people of this Province with apprehensions of a sudden war with Spain, with whom they fear France will take part against us, in which event as we are a frontier Province bordering upon Canada they expect the first attack will be made upon us and are the more uneasy, knowing in how ill a posture of defence we are at present for want of ammunition and all other warlike stores; whether their apprehensions of a war are well or ill grounded I know not but I think it my duty to lay before your Lordships the enclosed account of the stores &c in the fort of New York, whereby your Lordships will see our wants hoping you will be pleased to make such representation thereof as may procure a quantity of all sorts of stores answerable to our present necessities. I beg your Lordships to consider that the forts of Albany, Schenectady, the Mohawks country,

and Oswego are to be supplied out of the Stores to be sent hither for tho they have small Artillery yet they have no ammunition.

Soon after my Lord Delaware was named for the Government to this Province he wrote to me for an account of our stores and in Feb: 173⅞ I sent him a Copy of that signed by Captⁿ Bond in Nov 1737 the carriage wheels which in that account are called good are only comparatively so as they are better than the rest, but in truth are fit for little service the musquets mentioned to be good are in the store and over and above what are actually in use.

In case of a rupture with France, it will very highly concern us to make sure of the Six Nations, which can be best and only done, by making them large presents as has been customary. The several sorts of goods necessary for that purpose are contained in the inclosed list, and if your Lordships in the present posture of affairs think it necessary I should be supplyed with them. I beg your Lordships will be pleased to direct Messʳˢ Samˡ and Willᵐ Baker Merchants in London to buy them, and send them to me, they being perfectly well acquainted with goods of that kind, as they ship large quantities of them yearly to Albany. If £500 which I am informed has been usually given to a Governor for Indian presents, in time of peace was no more than sufficient a larger sum will be absolutely necessary in case of a war with France. Your Lordships well know how usefull the Six Nations have been to us It was by their influence on the French Indians that our planters, and those of all the other Provinces lived in Security all the last french war, untill the Canada expedition was set on foot; and I am in hopes by presents if I am full handed to procure by their means the like repose for the future for if they are neuter the French will not venture to molest us, and certainly it be of great advantage to all the Provinces our Settlement being abundantly more numerous than those of the french and altogether unguarded.

About a Month ago, I recêd intelligence that a party french and Indians were marched from Canada, with a design to attack the Cherickees and other Indians lying on the back of Carolina and Geogia under his Majesty's protection that it was given out, that they were to be joined by other french and Indians from Missasippi of which I sent imediate notice to the the Governors of Virginia, and Carolina, and to General Oglethorpe, hoping they may as I beleive they will, have time enough to give those Indians intelligence that they may either be prepared for their enemies or retreat, as they find it necessary; some of our young Mohawks, joined the party from Canada, contrary to their promises not being to be retained by the advice or perswasion of their Sachaims As there is no peace yet concluded between the six Nations and the Southern Indians, but if Mʳ Gooch, to whom I have wrote on that subject, disposes the Southern Indians to terms of amity, I hope, and doubt not of bringing the six Nations to it, and I have proposed to Mʳ Gooch, that the Deputies from the Southern Indians meet the Six Nations at Albany next summer, which is as soon as those Deputies can well be there I am with the highest respect and honor

My Lords &ᶜ

GEORGE. CLARKE

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 88.]

To Geo. Clarke Esq^{r}

Sir,

Since our letter to you of Feb^{ry} 6th 173$\frac{8}{9}$ we have Received yours of the 18th and 24th of April, the 24th May and 15th of June 1739.

We doubt not but you will by Your prudent conduct preserve the Peace and Tranquility of the Province notwithstanding the printed Libel which you sent us or any other writing of that kind which the discontented may publish in order to inflame the people, and we hope you will at your next meeting with the Assembly find them in such a temper as to be able to obtain from them a settled Revenue, so absolutely necessary for the support of Your Government, taking particular care to get it done in such a manner as not to admit of any the least encroachment upon the prerogative of the Crown.

We hope you have writ to the Commiss^{rs} for Indian Affairs about the Murders committed in Virginia and that you will bring the six Indian Nations to settle a lasting peace with that Colony and with all the Indians under the protection of His Majesty and in Friendship with his People.

We have under our consideration what you mention in Your last of May 24th 1739 concerning the Boundaries of Your province, and as it is our Opinion that the people of the Massachusetts Bay have been too hasty in this affair, We have wrote to the Governor to have it adjusted in an amicable way by Commiss^{rs} agreable to his own proposals and in the mean time to take care to prevent any inconveniencies that might arise to either of the Colonies by any Disputes about it.

We have laid Your letter of June 15th before His Grace The Duke of Newcastle with the papers transmitted with it and hope you will soon have directions from him how to act upon that occasion. So we bid you heartily farewell and are,

Your very loving friends
and humble Serv^{ts}
M. Bladen
Ja: Brudenell
R. Plumer.

Whitehall
Sep^{br} y^{e} 7th 1739.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 54.]

New York Nov^{r} 30th 1739.

My Lord.

I do myself the honor to send to Your Grace a copy of my letter to the Lords of Trade, and of the papers therein referred to: I beg leave to assure Your Grace I did all that was

possible to bring the Assembly to give a revenue upon a general appropriation, but the precedent that Gov^r Morris gave in Jersey was too strong for me, and I was obliged to give way to necessity, for the people were upon the point of growing clamorous both for that and for the continuance of the paper money; however I have got the Assembly to put the province into a posture of defence, and have laid I think a sure foundation for a general harmony, which in case of a rupture with France is absolutely necessary as this is a frontier province that covers from Canada the Western Colonies; I humbly hope for Your Graces approbation of my conduct, and having in my letter to the Lords of Trade, laid all things more fully before them, I will trespass no further on your Graces ti ne, than to beg you will do me the honor to permit me to subscribe myself with the most profound submission

My Lord.

Your Graces.

most humble most obedient and
most dutiful servant

His Grace the Duke of Newcastle. (signed) G CLARKE

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 40.]

New York Nov: 30. 1739

My Lords

A. On the 17 of this month I adjourned the Assembly to the second Tuesday in April next I flatter myself that upon the strength of your Lordships letter of the 6 of February last I should be able to bring them to give a revenue for a Competent number of years upon a general approbation, and without a particular application of it, to that end I bent all my endeavours and used all my possible means to bring them to it, but all in vain they remained inflexible and seemed resolved to run all risques rather than give into it they knew the Country were unanimous in the same sentiments and from thence they were assured of their elections on a new choice in this confidence they went on, and I prorogued them for a few days hoping they might some how or other change their minds, but this had no effect, they perswaded themselves from the strong appearances of an open rupture with Spain and France, that instead of disolving them I would lay hold of their present sitting to put the province in a posture of Defence this consideration wrought upon me, and made me cast off all thoughts of a dissolution fearing likewise that new elections might revive old animosities, and beget new ones at a time when the greatest unanimity would be absolutely necessary; besides they were fortified in their resolutions of applying the Revenue from a recent example in the adjoining Province, M^r Morris the Governor of New Jersey having last winter (after I had dissolved the Assembly of this Province for attempting it) given his assent to the Revenue Bill whereby the money was particularly applyed, however I would do nothing rashly and therefore advised with the Council upon it who were unanimously of opinion that considering the present circumstances of affairs it was by no means proper for me at this time to dissolve the Assembly, but rather

to comply with them in letting 'em apply the money they give for support of Government and to give the paper money a further continuance as your Lordships may perceive by the inclosed copy of their opinion which they gave me in writing. being thus reduced to the necessity of giving way to the Assembly, I got them to make provisions for fortifying the Province, to wit, to finish the battery in this town to build a new fort in the Mohawks country, and another at Sarachtoga, our most advanced settlements towards the fort which the French have built at Crown point and an hundred pound to be applyed in the purchase of a piece of Ground at Tierondequat in the Senekas Country, that we may thereby get footing there, and keep the French from possessing themselves of it, a thing which I have long aimed at, but could never til now get the Assembly to give any money for it, All these things are highly necessary at all times, as this is a frontier Province but more especially at this time when a rupture with France is mentioned in the New Papers as a thing we are to expect, I humbly hope for your Lordships favourable construction of what I have done if I have departed from my former resolutions I beg your Lordships to consider that the necessity of the times, the defenceless condition of the Province and the bad example ment[d] have compell'd me to it.

B. I did myself the honor by two Vessells to send your Lordships an Acc[t] of the stores as they were in the year 1737 whereby it will appear that we were then destitute of almost every thing, but great Guns and I fear that upon trial they will be found to be unfit for service being very old and much honeycombed, at present there is not one carriage or set of wheels that can be called good, nor has there been an ounce of Powder in the fort, since I have had the Gov[t] but what I have bought with my own money to fire on publick days this Province has never bought any powder, but has always been furnished with it from home, we have a great many Muskets, but almost all unserviceable which lye ready to be sent home upon the first order hoping they may be exchanged for new ones, but I will not give your Lordships any further trouble about particulars since our wants will fully appear by the Acc[t] mentioned and I humbly hope your Lords[ps] will be pleased to make such a representation thereof, as from thence we may be fully supplyed Capt[n] Farmer who carries this and Capt: Bryant who is soon to follaw him. have received our guns carriages and stores and can give your Lordships an acc[t] of the wretched condition they are in from whence your Lordships will I hope represent likewise the necessity of our being supplyed very speedily.

C. When I sent Your Lordships an acc[t] of the stores I likewise represented the necessity of presents for the six Nations of Indians, to which I beg leave to refer hoping by the first ship to receive them.

D. I have likewise got this Session an Act for the better regulating the Militia who are all to arm and furnish themselves with ammunition and I am giving directions to have them more duly exercised than they have been.

E. I have lately received from the Commissioners of Indian affairs the Governor of Canadas answer to the Mohawks whom I sent to the Crown point to forbid the French settling any Lands on this side of the Lake which your Lordships will see in the inclosed paper N° 2. if the French Kings claim be allowed, he will take in great part of the Six Nations and of other Nations of Indians, depending on the Crown of England and lying on the back of all our Colonies, for his claim is not confined to the Spring head of the Wood Creek, but extends itself to the Spring heads of all the Rivers that lead into any of the Lakes that disembogue themselves into the River S[t]Lawrence

I humbly recommend myself to Your Lordships protection and am with the greatest respect and honor

My Lords

Your Lordships most obedient Servt

GEO: CLARKE.

Commissioners of Indian Affairs to Lieutenant-Governor Clarke.

[New-York Papers, Gg., No. 43.]

3 Nov: 1739.

May it please Your Honor

Sir

We have at last received an answer to the message we sent by four Mohawks Indians to the commandg Office at the Crown Point the 11th July last about the French settling on the South side of the Lake between the Crown Point and the carrying Place, which is as follows and was given them by the Governor of Canada

That the King of France claims all the land South, North and East lying on all the Rivers & Creeks that empty themselves towards Canada even to the carrying place, and the Lake of St Sacrament and that he will not suffer the English to make any settlements upon any of those lands but that if they should attempt to do it He (the Governor of Canada) would hinder it, upon which he gave a belt of Wampum as a token in presence of his Indians and ours, but notwithstanding he would give all his Right to the forementioned land from the Crown Point to the carrying Place, to our Mohawks and his own Indians as a deed of Gift to make use of it for a hunting place for them and their Posterity and at the same time assured them that no French should settle there.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg. No. 44.]

New York 7 Dec: 1739

My Lords

I now do myself the honor to answer that paragraph of your Lordships letter of the 9 of August 1738 which commands me to send you a list of the members of the Council and of those that are dead or absent, and in regard to the last, my remarks from whom and for how long time they have obtained a licence of leave The Councellors are these, Mr Colden Mr Van Horne, Mr Kennedy, Mr Livingston, Mr De Lancey, Mr Cortlandt, Mr Lane, Mr

Horsmanden, and Mr Geo: Clarke Jun: I do not mention Mr Van Dam,[1] and Mr Alexander your Lordships haveing about four years ago represented them as unfit to be continued, nor for that reason do I summon them to Council, Mr Colden lives about 60 Miles from this town, and Mr Livingston at Albany 150 miles from hence so that they cannot regularly attend unless at the sitting of the Assembly and then they attend pretty punctually Mr Kennedy Mr De Lancey Mr Cortlandt Mr Lane, and Mr Horsmanden live in Town, and attend duly Mr Clarke is in England, and altho Mr Van Horne lives in Town, I cannot get him to attend either when the Assembly sitts or at other times, so that if either of the five members whom I have mentioned to attend duly should be ill, or called out of town on business there is not a sufficient number to make a Council to do the ordinary business, tho upon extraordinary occasions I may act with three, Mr Van Hornes pretence for not attending when he is summoned (which is constantly done) is, that he is ill tho its well known that he goes frequently abroad upon other occasions, and even at some times when he is summoned to Council I have hitherto in tenderness to him forbore to mention this to your Lordships but I dare not any longer delay to obey your Lordships commands if your Lordships Judge it necessary that he should be removed I beg leave to recommend to your Lordships Mr Richard Bradley the Attorney General to be appointed in his Room he lives in Town, and will give a punctual attendance,

[1] Rip Van Dam belonged to a respectable Dutch family which had immigrated to New Netherland previous to its surrender to the English; for we find Jacob van Dam one of the principal burghers and inhabitants of New Amsterdam in 1653, and Claes Ripse van Dam a burgher and trader of Fort Orange in 1664, *Albany Records*, IX., 7, 8; XXII., 185; and subsequently a member of the Anti-Leislerian Convention at Albany in 1689. *New-York Documentary History*, II. Mr. Rip van Dam was bred to the sea in early life, and made a voyage in 1686 to Jamaica, in command of the sloop Catherine. *Pass Book*, IV., 30. In the year 1690 his name appears among those of the Merchants of New-York. *Deed Book*, VIII., 250. In 1693 he was elected one of the Assistant Aldermen of that city, and was reëlected to the same office during the two successive years. *Valentine's Manual*. His early education naturally engaged him in ship building, and having formed a partnership with James Mills, established a launching yard on the North river in the rear of Trinity church yard Some of the vessels in which he was interested having been seized and condemned during Lieutenant-Governor Nanfan's administration, on a charge of violating the Trade and Navigation acts, Mr. Van Dam threw himself into the arms of the Anti-Leislerian party; became a hot opponent of Nanfan, and signed the petitions to the King against him, and against Collector Weaver who seized, and Chief Justice Attwood who condemned, the ships. This contest was terminated by the arrival of Lord Cornbury, of whose Council Mr. Van Dam was sworn a member on the 3d of May, 1702, by orders from England. *New-York Council Minutes*, IX., 17. He continued an active member of the Board during subsequent administrations, and, on the death of Gov. Montgomerie in 1731, being the senior councilor, assumed the government of the Province, as President of the Council. He was superseded as such in August, 1732, by the arrival of Gov. Cosby. As his difficulties with that gentleman are fully detailed in these volumes, it is unnecessary to enter into any particular account of them here. On Cosby's complaint, the Lords of Trade recommended, in August 1735, that he be dismissed the Council; he was suspended by Governor Cosby on the 24th November following (*New-York Council Minutes*, XVII.), though it does not appear that the recommendation of the Lords of Trade had ever been approved or confirmed. Mrs. Cosby is accused of having been an instrument in bringing about Mr. Van Dam's suspension; the scheme, it is said, was to suspend Mr. Clarke and some others, as well as Van Dam, in order to prepare the way for Mr. Delancey to be at the head of the government; but Mr. Cosby died before it could be accomplished. Many others believed that Clarke and Mrs. Cosby were at the bottom of it. *Morris' Papers*. 67. For twenty years, much of Mr. Van Dam's attention had been directed to the settling of the wild lands of the province. He was interested in the Nine Partners' Patent in Duchess county; in the Great Kayaderosseras Patent, and was proprietor of divers tracts in Ulster and Montgomery counties. In early life he married Sara Van der Spiegle (2 *New-York Historical Collections*, I., 395), by whom he had two sons, Rip and Isaac; and three daughters, Elizabeth, the wife of Jacob Kiersted; Mary, the wife of Nicholas Parcel, and Catalyntie, the wife of Walter Thong, whose daughter Mary married Robert Livingston, 3d proprietor of the Manor of Livingston. By this intermarriage many of those men who distinguished themselves in American history afterwards, are connected with the President of New-York. After living to a very advanced age, Mr. Van Dam died in the city of New-York on the 10th of June, 1749. His eldest son, Rip, died during the father's life time, leaving a large family. Isaac, who was also a merchant, survived his father only a few months, having died on the 10th of December, 1749. Rip Van Dam was the last native of New-York, of Dutch extraction, that presided at its Councils during the English rule. It was nearly a century before another occupied the chair of state. — Ed.

which will be some ease and satisfaction to the other Gentlemen, who live likewise in Town, I humbly recommend myself to your Lordships protection and am with the highest respect and honor

My Lords
Your Lordships
most humble and
most obedient Servant
GEO: CLARKE

P. S. The Acts of Assembly are ingrossing, and I will do myself the Honor to send them to your Lordships as soon as they are ready.

The R^t Hon^ble the Lords of Trade

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 45.]

New York Dec^r 15. 1739

My Lords,

The Collector of his Majestys Customs having given me the enclosed paper, and having acquainted me that he apprehends a verdict will go against him upon the tryal of the cause by a Jury, whereby he will be under a necessity of appealing to the King and Council tho the evidence he tells me is very strong in his favour, I do upon his request give your Lordships the trouble of receiving this and at the same time venture to say that if some method be not fallen upon whereby illicit Trade may be better prevented, I doubt it will be to little purpose to bring any cause of that kind to tryall by a Jury and the officers of the Customs will from thence be discouraged from exerting themselves in the discharge of their duty; however the event of this suit will resolve my doubts.

The Collector informs me that he has sent to the Commissioners of the Customs copies of all the papers referr'd to in the inclosed from whome I presume your Lordships may have them if you think it necessary, I am with the greatest respect and honor

Your Lordships
most humble and
most obedient Servant
GEO: CLARKE

The R^t Hon^ble the Lords Commissioners for Trade & Plantations

Archibald Kennedy Esq: qui tam &^c
against
The Sloop Mary & Margaret Thomas Fowles Reclaiment
} In the Court of Admiralty New York
The Case

The latter end of August 1739, some caskes of foreign Gunpowder and Molasses being found on board a Pilott boat the same with the Pilott boat were seized and information

being given that the same Gunpowder and Molasses were imported in the Sloop Mary and Margaret from S^{t} Eustatia, and unladen from her between Sandy Hook and the Narrows and put on board the said Pilot boat the said Sloop Mary and Margaret was also seized (she being then come into the Harbour of New York) and a lybell filed against her in the Court of Admiralty for importing into the Colony of New York the said Gunpowder (being of the production and manufacture of Europe) from S^{t} Eustatia the same not baving been bona fide laden in Great Britain &^{c} and for unloading the said goods before Report or Entry &^{c} As by the Libell N^{o} 1. To this Libell Thomas Fowles appeared and claimed the Sloop Mary and Margaret as Owner thereof, and put in a plea to the Instruction of the Court of Admiralty containing in substance that the whole Colony of New York is divided into twelve counties, and that there is no part of the said Colony but is contained in the said Counties or one of them and that the Court of Admiralty has no Jurisdiction of any matter done within any of the said Counties but ought to be determined by the Common Law And that the said Sloop was seized on shore within the City and County of New York, As by the said plea N^{o} 3. which plea being overruled a plea in Barr was filed averring that the Gunpowder &^{c} was not imported in the said Sloop nor unladen from the said Sloop at any place within the Colony of New York and put into the said Pilott Boat as by the said plea N^{o} 4. To this plea the Advocate General Joined issue, and witnesses were examined who fully proved the matters charged in the Libell as by the depositions from N^{o} 8 to N^{o} 17 appear, The Witnesses being examined and publication past Fryday the 26 of Oct^{r} was appointed for the hearing of the Cause. But before the day of hearing the said Thomas Fowles (finding the facts charged in the Libell fully proved) applyed to the Supream Court for a prohibition suggesting the statutes of the 13th and 15th of King Richard the second, and the 2^{d} of Henry the 4th the aforesaid Libell and plea to the Jurisdiction of the Court of Admiralty, and that the said Court of Admiralty refused to admit the said plea as by the said suggestions contained in the prohibition N^{o} 19 appears, upon the argument of this matter it was insisted upon and shown by the Advocate General and the Council for the informant that the whole Province of New York was not contained within the 12 counties, for that the greatest part of Hudsons River and particularly the place where the Gunpowder, is said to be unladen from the said Sloop is not within either of the Counties tho within the province and shewed the Act of Assembly for dividing the province into Counties &^{c} N^{o} 20. Whereby it appears that the two next adjoining counties to the place where the said Gunpowder &^{c}: was unladen are bounded by the Water And that tho the said Sloop was seized on Shore within a County yet it was for matters done out of any County and within the Admiralty Jurisdiction. But notwithstanding these and many other Arguments used and Authorities shewn the Judges granted the prohibition N^{o} 19.

Libell 5. Car: 2d Cap. 7.

plea

If the prohibition in this Cause was well issued no breach of the 15th Car: 2^{d} Cap 7. can be tryed in the Admiralty (but must be tryed at Common Law by a Jury who perhaps are equally concerned in carrying on an illicit trade, and its hardly to be expected that they will find each other guilty) for if the importation into the province makes the breach of the Act, and no part of the province but is within one of the Counties And whatever is done within the County cannot be tryed in the Admiralty, but must be tryed by the common Law, consequently no breach of that Act can be tryed any way but by a Jury.

Lords of Trade to the Lords of the Privy Council.

[New-York Entries. M., p. 90.]

To the R^t Hon^ble the Lords of the Committee of His Majesty's most Hon^ble Privy Council.

My Lords,

Pursuant to Your Lordships order of the 9^th of Nov^br last, "that we should examine the list "of goods transmitted by George Clarke Esq^r Lieu^t Governor of New York, to His Grace The "Duke of Newcastle, in his letter dated 30 Aug^st last, which M^r Clarke apprehends are proper "to be brought here and in New York, to be made presents of to the Six Indian Nations, and "Report to Your Lord^ps what we think proper to be done therein, and also that we should lay "before Your Lordships an account of all such Goods as have been brought here and sent to "that Province for the said Six Nations of Indians, as well in time of peace as war, together "with the Expence thereof, and whether any or what allowances have at any time been made "to the respective Governors of that Province for the purchase of Goods there, on the like "account and what accounts we have received of the Presents which have been actually made "by the respective Gov^rs to the Six Nations of Indians;" We take leave to acquaint Your Lordships

That we have searched the Books and Papers in our office relating to this Matter and find that upon a letter from the Earl of Bellomont Governor of New York to the Lords Commiss^rs for Trade and Plantations dated 28^th Feb^ry 1699 desiring presents for the said Indians they represented their opinion to His Majesty King William the 3^rd on the 24^th of April 1700 in favour of the Lord Bellomont's request, and we find accordingly an Invoice of Goods shipt for that service on board His Majesty's Ship called the Advice, which with twelve pounds allowed to purchase in New York Rum and Tobacco for the said Indians amounted to three hundred pounds Sterling, which Goods were paid for by His Majesty's order out of the Exchequer; We also find that the ordnance office did at the same time furnish 400 Fusils

30 Barrels of Powder
10,000 Flints, and
1½ Ton of Lead

NewYork C fol. 178 / 204 D. fol. 15 estimated at Five hundred Pounds, in all Eight Hundred Pounds value, as appears by the two Extracts, and the Invoice hereunto annexed, marked A. B & C, the species of Goods then sent being much the same as those now proposed.

Bundle Aa. 52. It also appears by the Extract of Col^o Hunter's conference with the said Indians at Albany in 1710 taken from a Journal transmitted with other publick papers from that Province to this office at that time, and hereunto likewise annexed, marked D, that her late Majesty Queen Anne did then send another present of the like Nature for the said Six Nations.

Bundle Aa 172 A third present of the same kind was made to the said Indians, and delivered by Col^o Hunter Gov^r of New York in 1714, as by the Extract of his Proceedings with them in September 1714 hereunto also annexed and marked E. more fully appears.

Bundle Bb. 184. A fourth Present of much the same species and value as that sent in 1700 appears to have been sent by his late Majesty to the said Indians in the year 1719, by the Invoice hereunto also annexed marked F. In this Invoice only ten pounds were remitted to the Gov^r for the purchase of Rum, Tobacco &c^a for that use at New York.

It further appears that Governor Burnett having applied to the Commiss^{rs} for Trade in the year 1720 that the usual presents might be made to the Indians; This Board inclosed an Extract thereof to M^{r} Craggs Secretary of State desiring him to lay the same before his Majesty with their humble opinion that his Majesty shou'd be graciously pleased to grant the said Presents and we are Informed that in the year 1722 the sum of £907 12^{s} 10^{d} was ordered for that purpose.

In looking over the Journals transmitted to this office from New York of the usual meetings of the Gov^{rs} of that Province with the Indians there, we find several Presents were made by the Gov^{rs} to the said Indians at the expence of the Province, but it does not appear what the value of those Presents was.

Upon the whole we shall observe to Your Lordships that these Six Nations or Hords of Indians are the most powerfull and warlike of the ancient Natives of that part of North America.

That they have always been faithfull allies to the British Settlements in those parts.

That they are almost as near to the French Settlements as to the English.

That the French (in time of war especially) always took great pains to reduce them from the British Interest and in the late war had once got a considerable number of families of them to Montreal.

The Method used to keep them steady to the British Interest has always been by making presents to them which thô it be some Expence to the Crown not only secures them in our Interest in opposition to the French but is also a great Inducement to enure them to the war and use of our Manufactures rather than the French Manufactures, which has had a visible good effect, by letting us into a trade with many Nations of Indians far from our settlements which in all probability we could never have had, if it had not been encouraged by those warlike Tribes lying in the way either to protect or interrupt them in their passage to our settlements, which Trade is grown very extensive in those Parts and greatly beneficial to the British Manufactures. To which we may add that these Six Nations are looked upon to be a great support of the British Empire in those Parts, for which Reasons we humbly offer it as our opinion that it will be for His Majesty's service that presents should be sent to them agreeable to what is proposed by M^{r} Clarke and to former Precedents. We are, My Lords,

Your Lordships most obedient
and most humble Serv^{ts}
MONSON.
EDW. ASHE
JA. BRUDENELL.
R. PLUMER.

Whitehall
Dec^{br} 20th 1739.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 59.]

New York Jan^{ry} 28th 17$\frac{3}{4}\frac{2}{0}$.

My Lord.

I do myself the honor to send your Grace a copy of my letter to the Lords of Trade, and to inform your Grace that the Attorney General has at last obtained Judgment in court of

Admiralty against Burrows (who defrauded the Moors) a copy whereof I enclose; when Burrows was, on the private information of a merch^{t} of this place sent for and examined by me, before I received your Graces Commands, the then Judge of the Admiralty obliged him to enter into recognizance with sufficient sureties in the sum of six hundred pounds to answer the damages, that being double the sum of the value of the goods as Burrows swore, that sum the sureties have paid, and out of it the Judge paid the charges of prosecution, the remainder he has in his hands; and I pray your Grace to give me your commands to direct the Judge to remit it to England, that it may be there ready to be paid to the sufferers, or to give me such other orders, as Your Grace may think proper: The Judgem^{t} against Burrows is for twelve hundred and fifty pounds sterling, the money paid by the sureties but six hundred pounds this money, the remainder of the twelve hundred and fifty pounds, I am told may be levyed on him wherever he be found in the King's dominions, hither it is not probable he will come again, if he should he will be apprehended — I humbly recommend myself to Your Graces protection and am with the most profound submission and honor

My Lord.

Your Graces

most humble, most obedient and
most dutiful servant

His Grace the Duke of Newcastle. (signed). G CLARKE.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 46.]

New York Jan: 28. $17\frac{3}{4}\frac{9}{0}$

My Lords

On the 10 of this Month I had the honor to receive your Lordships letter of the 7 of Sept: last; before this will reach England I hope your Lordships will have received mine of the 30 of November which I sent by Captain Farmer and a duplicate by Capt: Bryant two of our constant Trading vessells to London, wherein your Lords^{ps} will see what the necessity of the times and M^{r} Morris's precedent in New Jersey obliged me to do, I went every length but that of a dissolution, and even that they look'd for, and began to make interest for a new Election the Assembly expecting it did by a resolve declare that they would do all that lay in their power to give the paper money a currency, and did not doubt but that future Assembly's would the same, hereupon the Merchants combined to take it whereby it would be current do what I could the people were generally disposed to grow very clamorous they resolved to go all lengths, and to run all risques to obtain a particular application of the revenue as it is now in Jersey and determined to give it only from year to year: had I dissolved them upon it I should thereby have kindled a greater flame in the province than that which I found it in this I considered as well as the present Situation of affairs in Europe from whence I judged it necessary to unite the minds of the people especially as this is a frontier province against Canada, and I found nothing would effectually do it but my giving way to the Assemblys

demands, which tho I have done very unwillingly yet I assure your Lordships it has had that effect, for I declare that I never knew the province in greater tranquillity than it is at present nor a more universal harmony than now subsists it never was and I suppose never will be without some discontented people in it, but I am confident there never were fewer than now, even the press is silent for we have not had one seditious or political paper since the last election I humbly hope your Lordships will look upon what I have done in the most favorable light, the Acts I have Assented to will be in your Lordships power and receive their fate from your representation and if it be for His Majesty's disallowance I presume the New Jersey Act will likewise be disallowed that no cause of discontent may again arise from thence As to my own particular I did above a year ago sell a small tho favorite estate to enable me to support the dignity of the Government when it was without a Support resolving if need should be to sell more rather than give way to the Assembly, and this I would have done could the madness of the people been cured, but your Lorpships see how my purposes have been defeated.

I have disposed the Six Nations to enter on a treaty of peace with all the Southern Indians under his Majesty's protection I write to Governour Gooch last Spring acquainting him with it and desiring that deputies may be sent from those Indians next June or July to Albany the usual place of treating if they meet I hope I shall be able to bring about a lasting peace, I impatiently wait for a letter from M^{r} Gooch on that head that I may keep our Indians at home against the Time of the Treaty, who expecting it will I fear highly resent a disappointment which will make my future Negotiation less practicable

I have writ to the Governour of the Massathusets Bay about appointing Commissioners to settle Preliminarys for before we proceed to the actual running of the lines, if any are to be run, their pretensions ought to be examined, I have named Albany for the place of meeting as being near equal distance from Boston and New York, and have proposed the middle of next June to be the time, this I did not only as the Commissioners whom I shall appoint will act on the behalf of His Majesty, theirs for the proprietors of the Soil of that Colony but likewise because there is no provision yet made by the Assembly of this province for the expence now at the time of meeting which I have proposed two of them I shall appoint being Judges of the Supream Court must be at Albany on their Circuit, and are willing to act in this affair without any reward, as yet I have not heard from M^{r} Belcher tho it is above five weeks since I writ to him

I have not yet had the honor of his Grace the Duke of Newcastles commands upon my letter of the 15th of June, I humbly ask your Lordships protection and am with the Greatest respect and honor

My Lords

Your Lordships

most humble and

most obedient Servant

GEO: CLARKE.

R^{t} Hon^{ble} the Lords of Trade.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg. No. 47.]

New York June 13. 1740

My Lords

A. This being the first ship bound for London since the Acts of Assembly past last Session have been ingrossed I do myself the honor to send them to your Lordships: I have already informed your Lordships of the reasons that obliged me to give into the application of the revenue, and to the continuance of the paper money much against my will, hoping that when your Lordships consider them, and reflect upon the then juncture of affairs, the unfortified condition of the province, and of the pernicious precedent that Mr Morris made in Jersey a short time before you will be pleased to make some favourable allowances for what I have done, especially as the bill N° 3 for continuing the excise and the currency of the paper money is in your power Had I not passed those bills I should undoubtedly have thrown the province into as great convulsions as ever but by passing them tho it was the most irksome thing I ever did, I have got the province fortified I have secured the Senecas Country from falling into the hands of the french, and I boldly affirm I have reduced the province to a state of greater quiet than it has known in forty years before; thus every one here is highly pleased, only I cannot but think myself unfortunate that so many things conspired to defeat my purposes at a time when I had a prospect of succeeding.

The Act to regulate the Militia needs no observation nor

The Act for compleating & building fortifications, nor

The Act towards the further Supporting the Government

The Act to raise in the Township of Schonectady a Sum not exceeding thirty two pounds &c is necessary to pay a debt contracted in making their old Church a fortification, they having built a new Church.

The Act for regulating the Streets & Highways &c in Schonectady

That for the encouragement of Whaling

That to prevent the destruction of sheep by dogs

That for regulating fences for the several Citys & Counties

That for the better clearing, regulating and laying out Highways in the County of Suffolk.

That for clearing, regulating and further laying out publick highways in Kings County, Queens, Richmond and Orange Countys,

That to prevent burning the old grass on Hempstead plains and that to prevent penning and folding of sheep on Hempstead plains being to revive or continue former Acts need no observation

The Act for raising in the South part of Orange county a Sum not exceeding one hundred pounds for finishing and compleating the Court house and Goal in Orange Town is very Necessary this county having a Ridge of Mountains running through the middle of it made it very inconvenient for those who live on one side of the hills to travel constantly on the other side, the Courts being formerly held only in one place but now there is a Court House on each side, and the Courts are held alternately at them

The Act to let to farme the Excise on strong liquors is made for one year only and let to particular persons on terms accepted of by the Assembly who beleive it will bring in more

money this way, than it formerly did under the management of persons employed in the County to let it by Auction, or to the respective retailers for what they could.

The reason for passing the Act to enable the inhabitants of Brook haven to choose two Constables arises from the increase of people and the extension of their Settlements.

The County of Suffolk being infected with wild catts, and those creatures increasing the Inhabitants thought it high time to take some method to destroy them and beleiving a reward would be most effectual they applyed for an Act of Assembly whereupon this was past

Hawkers and Pedlars coming from other provinces into this and carrying a great deal of money out of it with them has been found very prejudicial to the trade of this place wherefore that the publick might receive some benefit by these strangers who otherwise neither add to our strength nor pay any thing towards the support of the Government the Assembly thought to pass this law, as they have formerly past several other temporary Acts to the same purpose.

I likewise do myself the honor to send your Lordships the minutes of Council to the third day of April last.

B. By the News papers it seem's that the Parliament have some thoughts of reducing the money in all the Plantations to one uniform standard and that to be Sterling it will without doubt be the only means to preserve the Merchants in England from being defrauded has they have hitherto greatly been and I cannot but think the people of the Plantations will in time find the benefit of it.

C. I wish with all my heart that the duties on such goods as are given in some of the provinces for the support of Government where given in all, that they might all be upon an equal foot in that respect, for at present those provinces, where duties are paid bordering upon those which pay none, are under great disadvantages for the illicit traders, who are by much too many import the goods subject to a duty in the province where they live, into an adjoining province where no duty is given and from thence run them in small parcels whereby not only the fair trader but the whole province is injured for the revenue by that means falling short of what is given for the support of Govern^{t} a debt is contracted which the province must make good and which they are often under great difficulty to do.

D. I humbly hope your Lordships have been pleased to consider the defenceles condition of the province for want of Stores, the necessity of a speedy and sufficient supply of all sorts and of presents for the Indians I am with the greatest respect

My Lords

Your Lordships

most humble and

most obedient Servant

GEO: CLARKE

R^{t} Hon^{ble} the Lords of Trade.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 62.]

New York June 14th 1740.

My Lord.

I do myself the honor by this first vessell that has been bound for England to inform Your Grace that on the 12th of April last I had the Honor to receive Your Graces letter of the 29th of October with His Majty's declaration of war against Spain, which I caused to be proclaimed the next day in the Fort and in the Town, and then in all the Counties and Towns and Garrisons in the province, and I beg leave to assure Your Grace that I will use my utmost diligence and care in preventing any ammunition or stores of any kind from being carried to the Ennemy.

At the same time I had the honor to receive your Graces letter of the 5th of Janry, wherein you are pleased to acquaint me that His Majty has ordered a large body of Troops under My Lord Cathcart to go from England to a proper place in the west Indies there to be joined by such troops as may be raised in His Majty's colonies and Islands in America to make an attempt upon some of the most considerable settlements of the Spaniards in the West Indies.

I immediately called a Councill and communicated to them Your Graces letter; By the advice of the Council I have issued a proclamation signifying His Majesties pleasure and inviting all his loyal subjects to go voluntiers in this expedition. I likewise wrote to the commanding Officers of the militia to draw out their Regiments under arms, and cause the proclamation to be read to the men, and directing them to order each respective Captn to draw out his men under arms the next day, and then again to read the proclamation to them, and to use their utmost endeavours to incourage as many as the could to list, all which was forthwith done.

The people at first were very sanguine, and continued so for some time, but then hearing that Coll: Spotswood lay dangerously ill at Annapolis in Maryland, which put a stop to his Journey hither, and Coll: Blakeney staying longer than at first it was thought it would, they began to cool, and to imagine that the designe would be laid aside, I endeavoured to disposess them of those apprehensions, and I have great hopes that so soon as Coll: Blakeney arrives they will again grow warm, for Coll: Spotswoods sickness putting an end to his life on the 7th of this month, I hope Coll. Blakeney will be here before it be possible for Coll: Gooch to reach this place; and I humbly beg leave to assure your Grace that I have endeavoured to animate the people to engage in it, by all the ways I could think of, and I have good hopes of success; I encouraged several persons to raise companys assuring them they would have the Command of them, and this I did upon your Graces telling me that Coll. Blakeney would bring blank Commissions, this put many more upon making application to me for the like liberty, I incouraged all and they have been very active in it, and I have good expectations that it will have a good effect.

I have not brought any provision nor hired any transports, because it is very uncertain what number of men I shall raise in this province, but I have lately with the advice of the Council embargoed pork, beef and pease, nor do I hear that the Merchants complain of it, but on the contrary, think it reasonable; Bread we can always get, and Butter is plenty in the summer, so that they were not within the imbargo.

I humbly beg leave to assure Your Grace of my zeal for His Majᵗʸˢ service, and of my unwearied endeavours to promote this expedition, and to subscribe myself with the most profound respect and honor

My Lord

Your Graces

most humble, most obedient and most dutiful servant.

His Grace the Duke of Newcastle. (signed). G. Clarke.

Secretary Clarke to Lord Delawarr.[1]

[New-York Papers. (S. P. O.) No. 9, p. 63.]

My Lord.

My father since his being appointed His Majᵗʸˢ Lieut: Govʳ of New York, has in all his letters to Mʳ Walpole Auditor Genˡ and his other friends here, represented that an unruly spirit of independency, and disaffection had at last got to such a hight in that province, that he found the weight and Authority of a Lieutᵗ Govʳ, though managed in the best manner, would not be able to subdue it: but that if His Majesty should be pleased to invest him with the Commission of Govʳ in chief, he had the greatest reason to be assured that as he had naturally the affections of the people, he should be able when they should know what they had to trust to, to carry on His Majᵗʸˢ affairs with much more success at this important and critical juncture — Mʳ Walpole seemed lately, so convinced of the truth of these representations, that he was pleased to say, he could wish, Your Lordᵖ would, to facilitate His Majᵗʸˢ affairs, move His Grace the Duke of Newcastle in my fathers favour. Encouraged by this and by Your Lordᵖ's late favours, I most humbly presume to intreat your Lordship, that your Lordᵖ would in consideration of what is above set forth be pleased to move His Grace the Duke of Newcastle on my Fathers behalf, that he may succeed your Lordᵖ in that Governᵗ. This will greatly facilitate his Majᵗʸˢ affairs, and as it will be some advantage to my father, and Your Lordᵖ has been put to great charge in passing Your Commissions ettc. I shall upon such appointment immediately pay Your

[1] John West, 7th Lord Delawarr, K. B., was born 4th April, 1693, and on his return from his travels in 1712, was made standard bearer to the band of gentlemen pensioners, and clerk extraordinary of her Majesty's privy council. Soon after the accession of Geo. I., he resigned the post of standard bearer, and was made guidon to the first troop of life guards. On 26th May, 1723, he succeeded to the title, on the death of his father; and in 1725, was appointed lord of the bed chamber, and chosen Knight of the Bath; in 1731, treasurer of the household and member of the privy council. He was sent, in 1736, to Saxe-Gotha, to conclude a treaty of marriage between Princess Augusta and Frederick, Prince of Wales, and attended her into England; was appointed Governor of New-York in 1737, but resigned the same in September following, on being made Colonel of the first troop of life guards; was appointed forester of the bailiwick of Frithan, Hauts, in 1742; Brigadier General in 1743, in which year he accompanied his Majesty in his campaign in Germany, and was present at the battle of Dettingen. On April 5, 1745, he was promoted to the rank of Major General; and on the 10th October, 1757, received the commission of Lieutenant General and Governor of Tilbury Fort. In June, 1752, he was appointed Governor of the island of Guernsey; in 1761, created Viscount Cantalupe and Earl of Delawarr, and died 16th of March, 1766. *Collins' Peerage, V.*, 40. *Gent. Mag.* The last mentioned work, for 1747, p. 617, says he was, also, Governor of Virginia. His Lordship married, first, Charlotte MacCarthy, daughter of the Earl of Clancarty, who dying, in 1735, his Lordship married, in 1744, secondly, Anne, Dowager Lady Abergaveny, who died in 1748. — Ed.

Lord^{p} one thousand Guineas to indemnify Your Lord^{p} from any loss, or expence occasioned thereby, which is all that the Govern^{t} there under its present circumstances allows me to offer — I am

My Lord.

Your Lordships

most obedient and most humble servant

London June 20th 1740. (signed.) GEORGE CLARKE JUN^{r}

To the Right Hon^{ble}.
John Lord Delawar.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 67.]

New York July 8th 1740.

My Lord

On the sixth of May I received from Coll Spotswood a letter of which the inclosed is a copy, the contents whereof I made known that his intentions might take effect, supposing that he had sufficient authority to ascertain the pay of the voluntiers, and to advance the sums he mentions, hoping it would answer the end; Coll: Blakoney thinks it proper that I should lay it before your Grace; Coll Gooch is now here who tells me that after he had taken another method, and declared it by proclamation, viz^{t}: that of giving a bounty instead of advance money, Coll: Spotswood insisted on his proposal to advance money, and that the pay of the men should be a pistole a calendar month, which is more than the pay of the King's other Troops: The men who inlisted in this province on my proclam^{tn} issued on His Maj$^{ty's}$ first orders expect to be in pay from the respective days of their inlisting, and Coll: Blakeney, the Council and I are of opinion that they ought to have it, and that it will obstruct the levies if it be not given them, and Coll: Gooch is likewise of opinion they ought to have it; as to a bounty I have recommended it to the Assembly as I have likewise on his Majesties commands told them what His Maj^{ty} expects from them on this occasion, a short time will resolve me what they will do, and I hope they will do both; several colonies having given a Bounty, I believe they will not refuse to do the like, and the demand of provisions and Transports is so reasonable that I hope they will raise money somehow or other for that expence, as the pay which Coll: Blakeney informs me the men are to have will fall short of what Coll: Spotswood proposed, I wish with all my heart, it may not have a bad effect, for tho' the expectation of growing rich by the Booty, and by gifts of lands and houses first and chiefly inspired the people to engage in the expedition, yet having made to believe they should have the pay he ascertained, and the advance money, I fear they will expect it; If Coll: Spotswood had no authority to ascertain the pay of the men, he made a wrong step, which may prove prejudicial to the service, and subject me to many difficulties, if he had no authority to ascertain the pay I humbly think they should have the pistole a month, and the advance money but this I suppose Coll: Blakeney and Coll: Gooch will consider, I for my part made no doubt of Coll: Spotswoods

having such authority, and being zealous for the service presently made his intentions known, hoping thereby to encourage the people readily to inlist—

I have endevoured to procure for Coll: Blakeney the best information I could, of such places and things as he thought proper to enquire about, and have got one Hinman a master of a vessell to quit the Merch$^{t's}$ service, on my promise to serve him all I can, he has given me his word to go with Coll: Blakeney, with which the Coll: is pleased, as he has given him the best information of any one, and it is agreed by all with whom we have talked, that Hinman knows more of the Havana, Castle Moro, and the other fortifications and Garrisons than any one that we can hear of, but of this I presume, Coll: Blakeney will give Your Grace a more particular account—I humbly recommend myself to Your Graces protection and am with the most profound submission—My Lord—Your Graces—most humble, most obedient and most dutiful servant (signed) G Clarke.

His Grace the Duke of Newcastle.

Major-General Spotswood to Lieutenant-Governor Clarke.

[New-York Papers. (S. P. O.) No. 9. p. 63.]

Annapolis 26th April 1740.

Sir.

I expected to have been by this time forwarder in my way to confer with the Northern Gov^{rs} about the grand expedition now on foot, but the difficulties and delays that I met with in the Govern^{t} of Virginia has retarded my journey wherefore I send this express to inform you the sooner of the measures I have concerted with the Govern^{t} of North Carolina, Virginia and Maryland and more especially of that one necessary step which requires to be first settled. I mean the pay of the troops which ought all to be upon one uniform footing, otherwise when the new levies of every province come to serve together, disatisfactions, and consequently mutinies might arise from some receiving higher pay than others; There are scarce any two provinces on this continent that agree in the value of their currency and in every one of them the exchange between their currency and sterling is continually varying, so that to avoid all confusion in accounts and clearly to satisfie the common soldiers that they are all serving upon the same pay, I have taken upon me to advise that the pay promised them should be one pistole for every Kalendar month: and to encourage several sorts of Men to enlist, I have advised a publication, narrating that whereas many men might be desirious of leaving some subsistance money with their families, several Debtors might be able to clear off or compound with their creditors, and many servants, might obtain their masters leave to inlist, if three or four months pay were promised to be advanced and paid to their respective assigns after their embarkation: I have had the experience of these kind of proposals having had very good effects, when in the year 1716. I being Gover^{r} of Virginia raised immediately men, and sent them away to the succour of S. Carolina, and 'twill be carrying on the Kings service with greater frugality than by giving every man bounty money.

So soon as the Adjutant General arrives with the King's full instructions you may expect to hear from me more at large on this subject: In the mean while I desire you'll take all opportunities to let me know what success you are likely to have in raising men for the intended expedition, that I may by the first occasion transmit such accounts to the Secretary of State (as I am commanded) to be forthwith laid before His Majty for his information and satisfaction.— I am

Sir

ettc.

A. Spotswood.

The afore written is a true copy of Coll: Spotswood's letter to me which I received the 6th May 1740.

(signed). Geo Ckarke.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9. p. 69.]

New York July 25. 1740.

My Lord.

I do myself the honor to send your Grace a duplicate of my letter of the 8th inst: and to acquaint your Grace that I have got the Assembly to give five and twenty hundred pounds sterling for transports and provisions for the Troops raised, and to be raised in this province to serve in the expedition against the Spaniards in the West Indies (a Bounty the would not give) this is the most I could bring them to, I perceived that the difficulty of raising money would be strongly insisted on, some of them seemed unwilling to break in upon the appropriated funds, and others were as averse to any new taxes, the council were apprehensive that the difficulty of finding ways and means to raise the money would occasion warm debates, and perhaps defeat my intentions, they foresaw that they would not be brought presently to give any new Taxes, or if they should that the money could not be raised in time, wherefore to remove those stumbling blocks, I told the Council that I had nigh two years salary and contingences, in the Treasurers hands, and that to promote the service I would lend the Country that money without interest for any reasonable time, with which I desired them to take opportunities to acquaint the members of the Assembly, and I believe it had a good effect, as all pretences of not knowing how to raise money, and the scruple of borrowing from appropriated funds (my money being due to me on an appropriated fund) were removed.

I have now four Companies full, and in a few days expect another which will be short of the number that might have been raised if I had had commissions with the first orders for raising men when their spirits were warm, and their expectations high, but they have cooled by degrees, some through an apprehension that the expedition would not proceed, others that a peace will be concluded before they have struck the stroke, and others that what they take will be restored to the Enemy. I have done all I could to encourage them and to remove their doubts, and considering the low number of people in this province to what there are in others,

and that this is a frontier province against the French with whom the people are very apprehensive of a rupture, and that the wages of tradesmen and labourers is higher than in most of the Colonies, I hope I shall acquit myself to your Graces satisfaction —

That there are in the Colonies on the Continent a considerable number of men that may be spared for any present service, is certain, but wages being very high, it is the expectation of growing rich by the success of the expedition that has chiefly prevailed on them to enter into this service. The assurance of having commissions when they join my Lord Cathcart will I hope make up more than the Thirty companies for which only Commissions were sent by Coll: Blakeney, I encourage it all I can: They who have raised Companies in this province have done it at a considerable expence to themselves, in prospect of having a provision for life, and without that expence it would have been difficult to raise companies of an hundred men, tho' not companies of sixty men, and I do not think any other method than that of promising commissions to those who should raise companies would have been effectual, for by the accounts I have from the Colonels of the Militia Regiments, there are very few men in the whole province who offered to go upon the general encouragement and invitation given them by my proclamation, but almost all who declared their willingness to go, did it personally if such and such were to command them, for they were unwilling to inlist with any one whom they did not know; how it has been in other provices, I do not certainly know, but this is the temper of the men in this, Wherefore I found it necessary to promise Commiss^{ns} to those who should first produce companies, by which method I am in a pretty good forwardness: From this first essay of raising troops in these Colonies to be employed abroad, I presume it will be evident that a good body of men may at any time be got together on other occasions upon proper encouragement—I beg leave to assure Your Grace that I have used my utmost application in this business, and humbly hope for the honor of your Graces protection—I am with the most profound respect and honor

My Lord

Your Grace's

most humble, most obedient and

most dutiful servant

His Grace the Duke of Newcastle. (signed) Geo. Clarke.

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 97.]

To George Clarke Esq^{r} Lieutenant Governor of New York.

S^{r}

His Majesty's Attorney and Sollicitor General haveing received Directions to prepare and lay before the Lords Justices a Commission to be passed under the great Seal of this Kingdom (the charges of which and the execution thereof the Agents for the Massachusetts Bay and Rhode Island have agreed are reasonable equally to be borne by both Provinces) appointing Cadwallader Colden, Abraham Vanhorn, Philip Livingston, Archibald Kennedy and James

De Lancey Esq[rs] of the Province of New York; John Hamilton, John Wells, John Reading, Cornelius Vanhorn, and William Provost Esq[rs] of the Province of New Jersey and William Skeene, William Shirreft, Henry Cope, Erasmus James Philips, and Otho Haymilton Esq[rs] of the Province of Nova Scotia Commissioners for marking out and settleing the Boundaries between the Province of the Massachussetts Bay and the Colony of Rhode Island Eastward care being taken that private property should not be affected thereby.

We are to acquaint you that you are required to inform the Commissioners resident in Your Province of the time and place intended to be appointed by the said Commission for the first Meeting of the said Commissioners and to recommend it strongly, to such of the said Commissioners as are able to go and attend this Duty.

For Your further Information in this Affair we send you a Copy of an Order in Council dated 10[th] of July last and expect that you do take particular care without delay to carry every particular thereof, so far as the same may be in Your power, into Execution. So we bid you heartily farewell, and are, Your very loving Friends

and humble Servants

MONSON
M. BLADEN
JA. BRUDENELL.

Whitehall
Aug[t] 1[st] 1740

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 51.]

New York Aug: 4. 1740

My Lords

Four days ago I had the honor to receive your Lordships letters of the 20 and 21 of May, in obedience whereto I do myself the honor to send to your Lordships a compleat collection of the laws made in this Province among them are many temporary Acts which are expired but being printed with the others I cannot seperate them, your Lordships will likewise perceive the titles of Acts which being expired before the publishing of this edition are not printed: these books I got from the Secretaries office, the printer having none left

I do myself the honor also to send your Lordships a duplicate of the account sent last Winter of the paper money issued in this Province, as to the sinking it there are funds for it, as your Lordships will see by the account and by the Acts of Assembly, but if it should be necessary to sink them in a shorter time I humbly conceive the method that will least affect the Merchant, either here or in England will be by a Tax on Estates Real and personal which has been often laid on the people here in immitation of a land tax as your Lordships may see page 213 of the first book herewith sent; but it will be in vain to expect it from an Assembly which is chiefly composed of farmers, Trade as the province is situated will not bear it, for it lies between provinces which lay no dutys on Merchandize, In truth my Lords it will be very difficult to bring the Assembly into any measures for shortning the time of sinking their paper money I heartily wish there was none subsisting and that the money in all the Plantations was reduced

to sterling the trade of the Merchants of England as well as the Colonies would be upon a surer foot.

Exchange which was last year at 70 p^{r} Cent is now at 65, and silver which was then at 9|3 per ounce is now at 8|10 or 9|. at the most I am with the greatest respect and honor

My Lords
Your Lordships
most humble and
most obedient Servant

The R^{t} Hon^{ble} the Lords of Trade. GEO: CLARKE

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 100.]

To George Clarke Esq^{r} Lieutenant Governor of New York.

S^{r}

Since our last letter to You of September the 7th 1739 (a Duplicate whereof has been sent you) We have received Yours of the following Dates, viz^{t} August 30th November 30th December 3^{d} 7th 15th 1739 and January 28th 17$\frac{3}{4}\frac{9}{0}$ together with several papers mentioned therein.

As to what you mention in Your letter of August the 30th 1739 and that of November 30 following in regard to the presents for the Indian Nations in the Neighbourhood of New York, we must acquaint you that soon after the receipt of Yours that affair was referred to us by the Lords of the Committee of Council, to which Reference we made Our report and gave it as our opinion that it would be for his Majesty's service that Presents should be sent the said Indians agreable to your proposal.

In your Letter of November 30th before mentioned you sent us amongst other Papers the copy of one to you from the Commissioners of Indian Affairs with the Governor of Canada's answer to the Mohawks, relating to the French settling at Crown Point, a Copy whereof with an Extract of Your letter so far as related to that affair we transmitted to His Grace the Duke of Newcastle, who we doubt not will receive His Majesty's pleasure thereupon.

We congratulate you upon the tranquility and universal harmony which in Your letter of the 28th of January last you inform us is at present subsisting in the Province. We heartily wish it may be lasting, and are Your very loving friends,

and humble Servants.

JA. BRUDENELL
MONSON
M. BLADEN.

Whitehall
August 8th 1740

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers, (S. P. O.,) No. 9, p. 73.]

New York Sept^{r} 22. 1740.

My Lord.

I do myself the honor to acquaint Your Grace that I have raised and embarked five compleat companies for the expedition one of them sailed hence the 19th inst: on board His Maj$^{ty's}$ ships Squirrel and Astraa for Jamaica, the latter was sent by Admiral Vernon to New England for Masts, and came hither to be reinforced by the Squirrel but both being by desertions weakly manned, it was thought proper by Coll: Blakeney and Lieut: Coll: Cope that they should be strengthened by puting one of these companies on board them, as the Astraa is a ship whose safe arrival at Jamaica is of vast consequence. The other four companies are on board Transports ready to sail with Coll: Blakeney[1] for the capes of Virginia (there to join Coll: Gooch) which they will do in a very few days, waiting now only for the Connecticut troops, whom we hourly expect here.

I was in hopes I should have raised another company here, but find it can not be compleated; I beg leave to assure Your Grace, I have done to the utmost, to promote the service having had it very much at heart, and I hope it will receive Your Grace's approbation, to whose protection I humbly beg leave to recommend myself, being with the most profound submission

My Lord

Your Graces

most humble most obedient and

most dutiful servant

His Grace the Duke of Newcastle.

(signed) Geo. Clarke.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9. p. 74.]

New York Oct^{r} the 31st 1740.

My Lord.

On the third of this month Coll: Blakeney went from this place on board the Ludlow Castle to Sandy Hook (there to stay for one of the Connecticut Transports that run on a rock coming hither, and for that part of the New Jersey troops that were to embark at Amboy). All our

[1] William Blakeney was born at Mount Blakeney, in the county of Limerick, Ireland, A. D. 1672. He entered the army in the beginning of Queen Anne's war, and was made an Ensign by Lord Cutts, at the seige of Venloo, 1702. He was long overlooked and neglected, till he found a friend in the Duke of Richmond, by whose interest he was promoted to the Colonelcy of the 27th Regiment of Foot, 27th June, 1737. He served as Adjutant-General in the expedition against Carthagena, and recommended himself to his Majesty by his courage and conduct in the defence of Sterling Castle, and the rebels in 1745. He was subsequently appointed Governor of Minorca, which island was reduced by the French after a gallant defence and honorable capitulation in 1756, when General Blakeney's conduct was not only approved, but he was raised to the Peerage, by the title of Lord Blakeney of Mount Blakeney, in the Kingdom of Ireland, and received many other particular marks of Royal regard and favor. *Entick.* He died in 1761, when the title became extinct. *Debrett.* — Ed.

transports, those of Rhode Islands and one of Connecticut sailing from hence with the Ludlow Castle: On the 7th the Connecticut transport having had her leak stopt joined him; while he lay at the Hook, four Boston Companies came to him; on the 10th those New Jersey troops likewise joined him, and on the 12th they all sailed for Virginia there to join Coll Gooch with the Troops of Virginia, N. Carolina Pensilvania, Maryland and those of West Jersey, who were to go down Delaware River, and on the 14th another Boston company came to the Hook, and the next day sailed for Virginia—The five Compnies that I raised went compleat, but not all with Coll: Blakeney, one of them being put on board His Majty's ships Squirrel and Astraa, as I did myself the honor to inform Your Grace in my letter of the 22nd of the last month, and are I hope ere this time at Jamaica; Even the scanty provision that this Assembly have made for victualling and transporting the five comp: I raised, I obtained with no small difficulty; I could not get them to give a bounty as some other Colonies have done, tho' that was the first thing I recommended them, and which I then thought they would give into but perhaps they imagined that a bounty might enable me to raise more men than they would victual and transport and when they gave five and twenty hundred pounds for that service, they did not suppose that I could raise near five hundred or they ought to have given more, but tho' contrary to expectation I raised that number, yet I could not prevail on the Assembly to give one Farthing more; but I hope it will carry them to the place of rendezvous; I tryed and had once some hopes of raising another company to go on a certificate but it could not be done, and I may boldly say that Pensilvania, Connecticut, and Massachusetts Bay which are all very populous, might each with more ease have raised above double the number, and if five hundred had been raised in New Jersey, 'twould have not been out of proportion to five hundred for this province. The expectation of booty has without doubt gone a great way to induce the men to enlist, and if Commissions had come with the first orders, and they had been to embark forthwith, without depending on the Assembly for provisions and transports, I am perswaded I could have raised a much greater number than five hundred; from what is now done Your Grace may see that the Colonies have men to spare upon occasion, and if His Majty's Arms have success as I heartily pray they may, and the men no cause given them to complain as without doubt they will not, a greater number may hereafter be raised upon proper encouragement and a fair prospect of enriching themselves by booty or posessions—For these are the main incitements—I humbly recommend myself to Your Gras protection and am with the most profound submission My Lord—Your Graces—most humble, most obedt and most dutiful servant (signed). G Clarke

His Grace the Duke of Newcastle

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 52.]

New York Nov: the 10. 1740.

My Lords,

I do myself the honor to send your Lordships a Duplicate of my letter of the 4 of August which went by Capt: Gill, I have the honor to receive your Lordships letter of the 8 of August

and humbly thank your Lordships for your Report in favour of Indian presents, which I hope will be ordered to be sent.

I have had an interview at albany this Summer with the six Nations of Indians and have prevailed on them to take into the Covenant Chain as it is called, all the Nations of Indians under the Kings protection lying to the Westward and Southward of us as far as the River Messasipi, this I think the most likely way to establish an universall Peace among all the Indians and to make it lasting, Coll: Gooch before I met them told me that it was not our but the Southern Indians among whom only one or two Mohocks were who murdered the people in Virginia of which he complained to your Lordships wherefore I past that by in silence I do myself the honor to send to your Lordships a Copy of what was transacted hoping that in what I have done I have obeyed your Lordships Commands to your satisfaction, if this union proves ineffectual I know not what will tie them I could wish that the Colonies to the Westward would give some small yearly sum as this doth to be applied in presents to the Indians and that the Governors would prevail on the principal Nations to the Westward to send Deputies to Albany to be present at the next interview; It would greatly corroborate what I have done, and by conversing freely together there they may lay a foundation for such an intimate and friendly Correspondence as may cement them for ever, I have writ to Coll: Gooch about it, but I fear my letter did not reach him before he embarked for Jamaica

The Assembly being Just now up, the Acts passed by them could not be got ready to be sent by those ships but so soon as they are ingrossed I will do myself the honor to send them to your Lordships, I am with the highest respect and honor

My Lords

Your Lordships

most humble and

most obedient Servant

The R^t^ Hon^ble^ the Lords of Trade. GEO: CLARKE

Conference between Lieutenant-Governor Clarke and the Six Nations.

PRESENT—The Hon^ble^ Geo: Clarke Esq: Lieut^t^: Governor &^c^

Philip Livingston
Philip Cortlandt } Esq^rs^ of the Council
Daniel Horsmanden

The Commissioners for managing Indian Affairs.

Copy.

Proposition made by the Hon^ble^ George Clarke Esq^re^ Lieut^t^ Govern^r^ and Commander in chief of the Province of New York &^c^ To the six Nations of Indians Viz^t^ the Mohawks Oneydes, Onondages, Cayouges, Sinnekes and Tuskarores, at Albany the 16 day of August 1740.

Bretheren

I intended to have met you last year, but the small pox a distemper that has ever proved fatal to you being then very rife in New York I was fearful that the infection might be conveyed

to you by some one or other curiosity generally leading many people from thence hither at the time of our meeting: in tenderness therefore to you I put of our interview to this time, And it is with much pleasure I now see you that we may brighten and strengthen the Covenant Chain that has so long tyed us in mutual friendship and brotherly affection, which I hope will continue inviolable to the end of the world, notwithstanding the Arts and intriges of our old enemies who leave no means unessayed to divide us, and take all occasions to weaken and at length to roote out your name and Nations this the wisest among you know full well but the ungovernable passions of your Youth, often render your cooler and better Counsells fruitless; Of this the frequent and almost constant practice of their joining the french parties who go out to destroy the distant nations of Indians with whom you have no pretence of enmity is a flagrant instance, Nor have the french any just cause to quarrel with them, for it is chiefly to enlarge their Dominions to bring honest and inocent Nations under their power and tyranny and to make them subservient to their unjust views that they make war against them; A conduct very different from ours who treat all those Nations of Indians who are under the protection of the Great King your Father with benevolence kindness and humanity studying to protect them in their freedom, and wishing you all to increase in number as the stars in heaven, Nor do we seek occasions to extirpate Nations with whom we have made no alliance, No on the contrary we unite them with us, we receive them with open arms and use them with kindness and humanity suffering them to enjoy that inestimable blessing[1] without disturbance In this difference of our conduct and that of the french may be seen the difference between freedom and Slavery between Englishmen and frenchmen and you are too discerning to see which of them is the most eligible and whose friendship is most preferable.

You are when you are united like a strong Rope made up of many small threads, which when twisted together resists the greatest force but by seperating the threads it is easily broken the method your enemies make use of to break you is this they know its in vain to assail you when twisted together they therefore endeavour to divide you and then break some of the threads by leading your youth on expeditions that they know will prove fatal to them, whereby the rope will be so weakened by degrees that it will at length yield to a small force tis high time therefore to apply yourselves heartily to make your Youth sensible of the snake in the grass that they may avoid their secret enemy and to inspire them with true notions of liberty, virtue and honor; are they lovers of liberty let them not endeavour to deprive others of theirs but teach them this golden Rule of doing to others only what they would that others should do to them; Is virtue amiable in your Eyes teach them how detestable the vices are of butchering their fellow creatures and laying waste whole Countries who have given them no provacation. Is cowardice a vice they hold in contempt, Or a coward a wretch they despise tell them it is base and cowardly to kill helpless defenceless women and Children and that the scalps which they bring home of such, instead of being trophies of their valour will be monuments of their barbarity and cowardice. Do they delight in the use of Arms? the savage beasts will find them employ try their courage and inure them to dangers Have they filial piety and brotherly affection? let them reserve themselves to defend their kindred and every thing that is dear to them from the attempts of their enemies if at any time they should be invaded that will be a war wherein you may reasonably hope for success in your arms for my part it is my kind concern for you that makes me speak thus to you I have your peace and happiness very much at heart, and very zealously wish your prosperity I would

[1] their Liberty. *New-York Council Minutes*, XIX., 43. — Ed.

have all the severall nations of Indians under the Kings protection how near or how distant[1] they live to or from us, united in one common covenant chain of friendship and alliance such an union would secure you all from the open attempts or secret snares of your enemies be they who they will And if there be any other nations who have not yet put themselves under his Majesties Protection that you are willing to cultivate a good understanding with, and who may be worthy your alliance invite them to it, make them your fast friends by that and all other Acts of friendship and humanity that your united body may still be stronger and your enemies have more cause to dread you if they should unjustly attempt any thing against you, of whose secret practices too you ought always to be watchfull You have been long acquainted with their Acts, what is the end think you they propose to themselves in attempting to seduce you, is it trade? No they have a more beneficial one with other Nations nor have they goods always to supply you or them with I will[2] you what it is, You lie too near them you are able to annoy them when they give you just provocation or to restrain them from their wonted cruelty to Nations lying beyond you or in alliance with you; And now knowing their views you ought carefully to guard against their Acts and intrigues and trusting to your own virtue an extensive alliance, and the great King you fathers protection, you may live in peace and enjoy the fruits of your labour with the utmost satisfaction and security If you neglect my advice, you will sooner or later have cause to repent it, think seriously of it and let your memory witness for me that I gave you timely warning of your fate; but I hope better things from you, and in that hope, I now renew brighten and strengthen the Covenant chain, assuring you that we will all on our part be carefull to keep it from rust and preserve it inviolable to the end of the world, and I expect the same from you.

Gave a Belt of Wampum.

Brethren

I am informed that some of the Onondage Sachims went to Canada to speak with the Governor of that place, after you had all been acquainted with my resolution to meet you here this Summer and not long before the interpreter went to summon you hither which I cannot but resent but after what I have already said I hope none of you will be any more misled by a people whom you have to much cause to suspect of secret designs ag^{t} you.

Gave a string of Wampum.

Brethren,

I am very glad that the design which some of you had to stop the road to Oswego is laid aside and the wiser Resolution taken of keeping it open Your own interest is highly concerned in having a place of trade in the middle of your Nations, and I am perswaded that you feel the good effects of it more and more Suffer not therefore any more interruption to be given to the Traders but encourage them to frequent that market by all the good offices and assistance you can give them You are sensible that I take all possible care, that you should be well used in your dealings, nor is that all the benefit you receive by having a Smith reside in the remotest of your Nations enables you to make your hunting turn to a better account than otherwise it would, for your Guns are now kept in good repair, without the loss of time in travelling far from home to have them mended when they want it

Gave a String of Wampum

[1] soever. *Ibid*, 44.

[2] tell. *Ibid*, 45. — Ed.

Brethren

I highly commend your Wisdom in not suffering the french to get footing at Tierondequat you are too well acquainted with them not to know that if by your permission they had built but a small fishing hut there they would soon without your leave have built a fort. And then what had become of Your liberty? You must have held that and your Country too at their pleasure have been compelled to sell your bever and take their goods at whatever price they would set upon them whereby you would in a short time be reduced to a most deplorable condition and if you do not speedily fall upon some measures to prevent it, they may by treachery gain their ends, and fix themselves there before you are aware of it.

Gave a Belt.

Brethren.

Upon complaint made to the Great King your Father by the Governor of Virginia that some of Your Young men had murdered some of his Majesty's subjects in that province I received his Majestys commands to conclude a general peace between you and all the Nations of Indians under his Majestys protection of which I directed the Commissioners of Indian Affairs to acquaint you, which they did and you expressed your inclination to come into it, and that you might be the better prepared to do it now, I sent you notice that, that was partly the business of this interview, All the Nations under the Kings protection, who live to the Westward and Southward of you, even as far as the Spaniards, would have sent their Deputies hither at this time, were it not that we are now actually engaged in a war with Spain, however they have desired me to negotiate the peace on their parts, assuring me they will ratify it fully and absolutely, and I do solemnly engage for their performance of it.

The Great King your father looks upon you and every Nation of Indians under his protection as his Children, and it is his desire that you should live in the strictest friendship and brotherly affection with each other; and that you may be inseperably united, It is his pleasure that all the Nations lying to the westward and southward of you, even as far as the River Mississippi be admitted into the Covenant Chain, so that from henceforth all annimosities and all causes of dislike complaint and enmity may cease and be buried in eternal oblivion, And being as one family you will be carefull of each others Safety not countenancing nor concealing any attempts that you shall know to be formed against any of you by any of your or our enemies but that you give immediate notice thereof to the nation against whom such a design is formed. this I faithfully promise, on the part of all the nations of Indians to the Southward and Westward of you, shall be performed by them to you and I expect you make the like solemn promise to me on your part.

Gave a Belt of Wampum

The peace about which I now treat with is not entered upon by me, Or the Nations I have mentioned of our own heads It is what the Great King your father has commanded and recommended to you all and surely his Commands, that carry with them as this doth, a general and paternal care, and concern for the peace and happiness of all his Children and subjects cannot but be obeyed with chearfullness and observed with constancy. his Majᵗʸ therefore expects it and I do admit all the Nations of Indians under his Majesty's protection lying to the Southward and Westward of us even as far as the great River Mississippi into the covenant chain with us, as fully and absolutely to all intent and purposes as if they had been originally and constantly comprehended in it, so that hencefoward they are to be considered as our

Brethren in all respects as amply as if they had been born and bred in your own Castles and houses and descended from your Ancestors. To confirm what I have said I give this Belt of Wampum which I desire may be kept by you for ever.

A true copy examined and compared P^r^
PH: LIVINGSTON
Sec^ry^ to the Indian Affairs.

PRESENT—The Hon^ble^ George Clarke Esq: &c.
Phillip Livingston
Phillip Cortlandt } Esq^rs^ of the Council
Dan^l^ Horsmanden
The Commissioners for managing the Indian affairs.

Answer made by the Six Nations of Indians to his Honor George Clarke Esquire Lieut^t^ Governour &^c^ In Albany this 12 day of Aug: 1740.

Brother Corlaer

You spoke to us the other day and we have very well understood the purport of what you said we do not intend to repeat it word for word but only answer the principal heads.

You told us the reason you did not come up before was that the small Pox were at New York, that you was fearful that distemper would spread, that therefore it was out of tenderness to us that you did not come.

You said also that you was very glad to see us here, we are also glad of the opportunity to see you our Brother here.

Brother Corlaer,

You also said that the reason of your coming was to renew that antient Silver Covenant Chain which has so long united our fore Fathers, and to brighten and strengthen the same, and that the Covenant Chain was so strong and bright that no Enemy can ever breake the same while the world endures

Brother Corlaer

We the Six Nations do also as well as you renew that antient covenant Chain which has so long subsisted between our fore Fathers, and make the same bright clear and strong, and promise on our part that it shall endure to the end of the World. No one that has entered into Covenant with us has ever had reason to complain of us that we have been Covenant breakers.

Gave a Belt of Wampum

Brother Corlaer,

You also said that you had acquainted the Com^rs^ and they us, that you intended shortly to meet us here and that we should stay at home and not go to Canada We confes it was told us, You said likewise that you very much resented that some of the Onondage Sachims are gone to Canada, but we hope you will excuse them they are not gone there to do us hurt, but for the advantage of us all.

Gave a String of Wampum

Brother Corlaer

You also thanked us for our wise management in keeping open and clearing up the Road to Oswego, and told us that the trading house there stands in the midst of our Nations, that it is a vast advantage to the Six Nations, because we can get there what we want or desire But we think Brother, that your people who trade there have the most advantage by it, and that it is as good for them as a Silver mine.

Brother

You said that if at any time we should see any of your people going to Oswego, that we should assist them We thank you for your request, we like it very well at the carrying place they are generally in want of assistance, and we promise that we will help them there in carrying their smaller goods, but the large casks and Bales they may have rid over

Brother

We desire that powder and lead may be cheaper at Oswego than it is at present which will be a means to draw the far Nations thither And we hope that none of the Traders at Oswego may give any reason or be the occasion of any Quarrel or disturbance between us.

We desire also that B-Corlaer will take care that we may be better paid for building houses at Oswego.

Gave a String of Wampum

His Hon^{r} answered them

Brethren. It seems you do not rightly apprehend what I mean or intend, when I recommend to you to assist your Brethren the traders when they are going to Oswego to trade It is not that you should carry any of their smaller things on the carrying place unless they do desire it from you, for that would be a means to discourage that trade, wherefore you ought to leave them at their liberty and not stop the rode nor interrupt that trade, which is certainly a great advantage to you as well as the far Nations

As to what you desire to have powder and lead sold cheaper at Oswego than it is at present the Market varies according as goods are in demand in Europe. You have found by experience that the more skins are brought to Oswego and here the cheaper you have goods every man in trade makes the best bargain for himself he can, So that I can give no directions how the traders shall sell their goods but only to recommend to them to use you well to encourage the trade in general and to give no occasion of any quarrel or disturbance between you.

Then the Indians proceeded

Brother. You also said that we had Acted wisely in not suffering the french to settle at Tierondequat, and that if they had only liberty to build a fishing hut there, they would soon build a strong fort. We perceive that both you and the french intend to settle that place, but we are fully resolved that neither you nor they shall settle there there is a Jealousy between you and the Governor of Canada about that place, if either the one or the other should settle there we think it would breed mischief such near neighbours seldom can agree, we think the trading house at Oswego and that at Niagara are near enough to each other, for trading houses to near generally quarrel about the trade. Gave a Belt

Brother,

You also told us, that you compared us to a rope which being twisted together is difficult to be broken, but when untwisted and divided into threads then it is easily broken. We think not that we divide this rope of which you speak but on the contrary strengthen the same, by making friendship and alliance with many Nations which has always been commanded us by all the Governours of New York, All the Indians which were formerly our enemies are now entered into the Covenant with us, almost as far as the river Mississipi

Brother. You also said that you spoke in the name of the King of Great Britain our father, that it is his Will that all the Nations of Indians under his protection should be as one body. As our father the Great King has commanded us that we sho'd be as one flesh and blood with the Indians to the Southward and Westward as far as Mississipi so we accept of them as Brethren that we may be united as one body, one heart and one flesh according to the Kings commandment But then we desire that some of the Sachims of those Southern Indians do come here which will much Strengthen and confirm this treaty, we will give them two Years time to come and in the mean time keep at home all our fighting men.

In former times we were but five Nations but now so many are entered into the Co^{t} Chain with us, both to the Westward and Northward that they are almost innumerable whom we must all acq^{t} with this treaty to keep them at home from going to fight ag^{t} the Southern Indians, who are the only Nations which are not entered into Covenant with us.

Brother. The last belt you gave us to link us and the Southern Nations together we accept of, and it shall be kept at Onondage we promise that when those Southern Indians come here we will give them a Belt to answer this.

His Honor answered them

Brethren. If you are in earnest ab^{t} the Peace of which we now treat you would not insist upon those Nations sending a number of their Sachims here, no more than you did those to the Westward and Northward and those treaties were made without the special command of the King your father, but in this case the King himself interposes and it is his will as a common father that you should live as Brethren together It is impossible that all the Nations to the Southward should meet you here or any where But they have made choice of me and I stand in their stead and as I told you before I do engage myself that they shall perform what I have promised in their behalf

Before I deliver you the presents which I told some of you I had from the Governor of Virginia for you in case you firmly and solemnly accepted all the Nations of Indians living to the Southward and Westw^{d} as far as the River Mississipi who are under his Majestys obedience and subjection into the Covenant Chain I expect that you will receive them and conclude a peace with me in their behalf and return me a token to send the Gov^{r} of Virginia as an everlasting testimony that you have concluded such a peace with them

The answer of the Six Nations to what his Honor said now

Brother. You just now told us that you was fully empowered by the Indians to the Southward and Westward as far as Mississipi and that you can transact this affair as fully as if they were present and that you engage for their performance of this treaty On which consideration we do agree to the terms required by you and receive all the Indians aforesaid into the Cov^{t} Chain with us and shall ever look upon them as our Brethren and as our own flesh as if they had

actually been born and bred amongst us and as we have never yet been guilty of violating treaties so you may depend that we will keep this inviolable to the end of the world. In testimony whereof we give you this Belt to be sent to the Governor of Virginia as an everlasting token of this Peace.

A true Copy examined & compared Pr
PHI: LIVINGSTON
Secry to the Indian Affairs.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9. p. 77.]

New-York Febr^{y} the 28th 174$\frac{0}{1}$.

My Lord.

I do myself the honor to inform your Grace that in obedience to their Excellencies the Lords Justices instruction to me of the fifth of August last, commanding me to take care that the act of Parliament of the 6th of Queen Anne, for ascertaining the rates of foreign coins in the plantations, be for the future observed and put in execution and likewise commanding me to publish the instruction, I did on the second of December last issue the inclosed proclamation, as the best method I could think of to discharge my duty, but I fear nothing but another act of Parliament will do the business effectually; payments now and for many years past being made in paper money and silver sent to England to purchase goods; besides it is understood that by that act no man is obliged to take silver in payment: If it should be thought proper to put the money in all the Planta^{tions} upon one uniform foot, I presume to think that if it were at once made sterling it would be most for the advantage of the Merchants in England, nor do I see that it would be at all injurious to the Merchants in America. and this is the opinion of those with whom I have talked, be it put upon what foot it will they must reduce the Ballance of their accounts to it, and it may as easily be reduced to sterling as to any other standard.

At the same time that I received that Instruction I likewise received their Excell^{cies} commands, concerning one Lush, Commander of a privateer; I made what enquiry I could and from thence am apt to believe he has in a great measure been guilty of what M^{r} Wimbleton charges him with, tho' he endeavours to shift it off on M^{r} Wimbleton himself; I directed the Attorney General likewise to enquire into it, who was upon inquiry perswaded of the truth of some of the facts, and believed he should get evidence to prove them, whereupon he caused Lush to be arrested on an Admiralty warrant, and then filed a libel in the Court against him, insisting on his giving two thousands pounds bail, but he tells me that the Judge admitted him to bail on giving only forty pounds security, a very inconsiderable sum to answer for the irregularities complained of, and I fear an ill precedent for others to tread in his steps.—

I have since the receit of their Excellen^{s} commands had the honor to receive Your Grace's of the 18th of April 1740. with the Act of Parliament, passed last session, for the more effectual securing and encouraging the Trade of His Maj^{tys} British subjects to America, and for the

encouragement of Seamen to enter into his Majᵗʸˢ service, with his Majᵗʸˢ proclᵗⁿ relating thereto, which I have caused to be published in all the Cities, Towns and Counties of the Province, hoping the encouragement given by the Act will be a great inducement to His Majesties subjects to fit out privateers, which I will promote to the utmost of my power.—

I do myself the honor likewise to inform Your Grace, that I have very lately received His Majᵗʸˢ order in Council on the 27 of Decʳ 1739 for Stores, and humbly presume to hope that Your Grace will extend your goodness to the Province, that they may be soon sent hither.

I beg leave to acquaint Your Grace, that on the 19ᵗʰ of the last month, I received from Admiral Vernon a letter, whereof the enclosed is a copy; I thought no time was to be lost in doing what I could to distress the Enemy, wherefore I summoned the Council immediately and made the enclosed order, which has not been only obeyed, but thought necessary by the Merchants. I am told that Mʳ Vernon likewise wrote to the same effect to the other Governʳˢ on the continent; I considered how the Merchants, if they were so disposed, might elude the force of that order (and I doubt there are some here and in other provinces who would not scruple to do it if they might with safety and without a forfeiture of their Bond). And I soon perceived it might be done by sending their Vessells to Barbadoes or some of the Leeward Islands, unloading them there, getting a certificate from the Collector, and then loading them again with the same provisions and sending them from thence to Curacoa, Statia or Sᵗ Thomas, and this method I feared they would take upon a presumption that Admiral Vernon might not write to the Governors of those Islands, both, because they are seldom supply'd with more provisions than the inhabitants want for their own use and because vessells seldom go thither from Jamaica, wherefore, I wrote to the Governors of those Islands, sending them a copy of Admiral Vernon's letter, acquainting them with the order, I had made thereon, and with my apprehensions that the Enemy might be supplyed in the manner I have done myself the honor to mention; nor did any thoughts rest there, I considered further, that we have little more wheat in the Province than the last years crop, that the great number of Soldiers and sailors which were daily expected to arrive in Jamaica from England, and the land forces raised in these provinces, would require a vast deal of bread and flour, and that tho' wheat be not wanted in England, yet the high price it bears there, would make the victuallers look to these provinces for their supply, and that it would be too late to provide for that when the wheat is ship't off; I therefore thought it highly necessary to forbid the transportation of wheat out of the Province, especially apprehending that the merchants would soon ship off great quantites to Lisbon and other parts of Europe, (it being understood that wheat was not included in the order of the 19ᵗʰ of January) and accordingly on the fourth of this month, I laid an Embargo on wheat not then actually shipt on board any Vessell, and now I find my apprehensions were not without foundation, great quantities being intended to be transported and several Vessells being arrived from Lisbon and others, looked for to be loaden with wheat—I hope I have not gone further than I ought, if I have, I beseech Your Grace to impute it to the warmth of my zeal for His Majᵗʸˢ service, I humbly beg the continuance of Your Graces protection, and leave to subscribe myself

My Lord

Your Graces

most humble most obedient and
most dutiful servant

His Grace the Duke of Newcastle.— (signed) Geo Clarke.

Admiral Vernon to Lieutenant-Governor Clarke.

[New-York Papers. (S. P. O.) No. 9, p. 80.]

Port Royal, Jamaica 13th Novr 1740.

Sir!

An opportunity offering by one of our Contractors Mr Tickell's vessells bound to your port, I could not slip the opportunity of informing Your Excellcy, of the arrival in these seas, not only of the large squadron of twelve Spanish men of war from 80 to 60 guns, but likewise of two as large squadrons of French Ships from Brest and Toulon. I have also advice of a large reinforcement being under orders for coming to join me, so that, in all human probability, the fate of this war is drawing to a crisis and decision in these seas; And as any misfortune befalling us, might be fatal to our possessions in these seas, and as I think these squadrons will rely on being supplyed with provisions from your parts, either immediately from the French Ports before we may come to a rupture with them, or from Statia and Curascoa afterwards, I can't omit recommending to you, as most material for His Majtys service, to have no one permitted at this critical iuncture, to clear out from Your Governt without giving sufficient Bond, not to land his provisions at any French or Dutch setlemts or any other but His Majtys colonies, where, all they can raise will probably be wanted for the Subsistance of His Majtys troops—

As the public service sufficiently bespeaks your regard in this particular, I can in no sort, doubt of your exerting your utmost zeal in it for His Majtys service

I am

Sir

Your most obedient humble servant

E. Vernon

To The Honoble George Clarke Esq:

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 88.]

New York March 13th 174$\frac{0}{1}$.

My Lord.

The inclosed being sent from Canada, and supposed to be dispatches from the Govr of that place for France, I presume to send it to Your Grace, not knowing in what situation affairs may be when it arrives in England; If I have done amiss I humbly ask Your Graces pardon.—

Yesterday a sloop arrived here from Jamaica in twenty eight days, the master whereof informs me, that about a fortnight before he left the Island Admiral Vernon sailed with the Fleet and Transports for Carthagene as it was thought, they being met (by some ships from Ireland) turning up on the south side of Hispaniola; that a considerable number of His Majtys troops were left at Jamaica in the hospitals, the master says seven or eight hundred,

some private letters say two thousand; that Gen[l] Wentworth[1] and the Officers were in good health; That four French men of War fell in, in the evening, with four of S[r] Chaloners Ogles squadron off of Hispaniola as they were going down to Jamaica, that they engaged most part of the night, but that in the morning the French made some excuse for what they had done and made for port Louis where the rest of their fleet then lay; that Adm[l] Vernon sent two Frgots to see where they were a little before he left Jamaica, but they were all gone from Port Louis and could not be found by those Frigots, wherefore it was conjectured they were gone to Carthagene. I thought it my duty to give your Grace this Intelligence that I had from the Master of the sloop, which is in General supposed by private letters — I beg leave humbly to recommend myself to Your Graces protection, and to subscribe myself

My Lord

Your Grace's

most humble, most obedient and

most dutiful servant

His Grace the Duke of Newcastle (signed). G. CLARKE

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers, (S. P. O.) No. 9, p. 84.)

New York April 22. 1741.

My Lord.

As a rupture with France seems to us, at this distance, to be unavoidable, I humbly beg leave to lay before Your Grace my present thoughts how we may dispossess the French of the footing they have got on the back of all the English Colonies on the continent (in a great measure since the peace of Utrecht) for tho' they pretend a right to the River Missasippi by discovery in or about the year 1680. (to which we have a prior pretence by the like right of discovery) yet till after the peace of Utrecht they made hardly any settlements on that River, nor had any communication from thence with Canada, but now they have a line of forts tho at considerable distances, between that river and Quebeck, by means whereof if the men and Merchandize which they send to one, should be intercepted at sea, yet if those sent to the other arrives safe the whole may be supplied by means of the Lakes and Rivers, and the Indians with whom they have a vast trade, will not for want of goods be driven to the necessity of coming over to us, and while the French hold those possessions, they will have such an influence over the Indians that lye to the northward and westward of the Lakes that they will either by threats or rewards make them instruments to annoy all the English Colonies, which, except this, are without any Forts or garrisons on their frontiers —

[1] THOMAS WENTWORTH became Colonel of the 24th regiment of foot, on 27th June, 1737; Brigadier-General, July 2, 1739; Major-General, August 14, 1741. He arrived at Plymouth from the West Indies, on the 7th January, 1743, and was elected member for Whitchurch, immediately after. He was sent to Holland in 1744, to solicit 6,000 men from the Dutch, to aid in repelling the French invasion, then threatened, and in June, 1745, was appointed Lieutenant-General. He was afterwards sent in a public capacity to the Court of Turin, where he died in November, 1747. *Gent. Mag.* Bancroft (*History of the United States*, III., 441,) calls him "the inexperienced, irresolute Wentworth," but on what authority does not appear. — ED.

The French have now on the Lake Ontario or Cadaraqui two Brigantines of about fifty tons each, they had three, but one is lately stranded and broke to pieces; these vessells serve them to transport their Merchandize, and men and provisions and ammunitions to their Forts, two of which they have on that lake viz: one called Frontenac at the North-East and where it empties itself into the River of S^{t} Lawrence, the other at Niagara on the South-West end, they are square stone Forts, and each of them garrisoned by a company of regular forces, consisting of about thirty or thirty five men, which may presently be reinforced by the Indians, both these Forts are built on the Lands belonging to our six nations or Iroquois. What I would humbly propose is: that two vessells of superior bigness and force to those of the French be built on that lake, where there are good harbours and sufficient depth of water which being well manned and provided with gunns and ammunition we may easily take or destroy those of the French and being masters by water, we may transport the troops that may be necessary to take their two Forts, and hinder the Enemy from building any more on those shores and no sooner will our conquests be known as it will immediately by the Indians now in the interest or under the influence of the power of the French, but they will shake of they yoke and submit themselves to His Maj^{tys} protection, whereby we shall of course be posest of all the Indian trade from Canada to Messasippi, which is now in the hands of the French, and cut off the communication between those places, so long as those vessells are employed on the Lake, which they ought constantly to be, at least till we have taken Canada, or the scheme will be ineffectual, for if they should be laid by, as useless and suffered to rot before Canada be taken, the French will soon again build others, retake the Forts, open their communication with Missasippi, recover their trade, distress our Colonies, confine them to very narrow limitts, and consequently in the end make them of little use to England, and this they will be able to do by the assistance of those numerous nations of Indians that lye to the northward and westward of the Lakes, for when the French are again masters of those waters and Forts, the intercourse between those nations and us will be broken and they must be absolutely at the disposal of our Enemy. I presume, one regiment of foot will be sufficient for the purposes mentioned, which may be raised in this and the next provinces.

To the Northward of the Lake viz: in Canada and at the Island of Breton the French are much stronger both in men and Fortifications, so that a much greater force will be required to subdue them; the harbour of Louisbourg at Breton is strongly fortifyed and the entrance defended by a Battery of fifty guns there is depth of water sufficient for the bigest ships, and the harbour is capable of containing a very large fleet; its situation gives them all the advantages, they can wish for, it secures their own navigation to Quebec, and gives them but too great opportunities to annoy and interrupt our Fishery; in the Winter they have few men upon the Island except their garrisons, but are secured by the cold, the snow and Ice — In summer they are strengthened by the great numbers of men employed in their fishery; the only time therefore to attempt with most advantage the taking of the place will be at the breaking up of the winter, and before their ships come from France, and this may be done; for if His Majesty's ships to be appointed for that service winter at Boston, they may block up the harbour of Louisbourg before any ships from France can arrive there, and His Majty's troops may land when the least opposition can be given them, and for this expedition I am perswaded that four or five thousand men may be raised in New England, if the Officers, as they were for the expedition against the Spaniards, be appointed in these provinces, but then I presume it will be necessary they be disciplined before they embark, so that if the orders and commissions

be sent over the summer before, and a sufficient number of subalterns to teach them their exercise, they may before the ensuing spring be fit for service, but I presume some veterans from England will be absolutely necessary to join the Americans, under the command of an experienced General. If we take Cape Breton and have constantly there and at Placentia in those months wherein those seas are navigable, a sufficient number of ships of war to guard our Fishery, they may intercept the French Ships bound to or from Canada, and thereby reduce that Country to great necessity, and their communication with Messasippi being cut off by the means proposed that country will become an easier conquest. The Regiment proposed to be raised for the service on the lake with an Engineer and a proper train of Artillery will be able to take their Fort which they lately built at the crown point, about one hundred and sixty miles from Albany, which will open our way from thence by water to Chamblie, Quebeck, and their other forts viz: Montreale and Trois Rivers, whenever that expedition be set on foot

At present what this province has to do is to preserve Oswego, which lies at the North end of Cadaraqui Lake, from falling into the hands of the French, I have recommended it to the Assembly, as Your Grace may be pleased to see in my speech.

I humbly ask Your Graces pardon for trespassing so much on your Graces time the subject is I think of very great consequence, and I hope my zeal for His Majᵗʸˢ honor and service, will in some measure attone for my presumption, and if upon this general view of it, it should appear to deserve Your Graces thoughts, I shall think myself very happy in having laid it before Your Grace.

I do myself the honor to send your Grace my speech to the Assembly, and a copy of my letter to the Lords of trade, whereby your Grace will see that the house, Chappel and all the buildings in the Fort are consumed by fire, it falls exceeding heavy on me in my private losses, which I am very unable to bear. I humbly recommend myself to Your Graces protection and beg leave to subscribe myself with the most profound submission

My Lord

Your Graces

most humble, most obedient and

most dutiful servant

His Grace the Duke of Newcastle. (signed) G. Clarke

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 54.]

New York 22 of April 1741.

My Lords

A. I do myself the honor to send to your Lordships; the minutes of Council and the Acts past last Session Vizᵗ

An Act for and towards supporting the Governmᵗ &ᶜ This Act being conformable to former temporary Acts needs no observation.

An Act to apply the monies granted for the Support of Government &ᶜ is much the same as the Act past the year before for the like purposes

An Act to support the Garrisons at Oswego &ᶜ this Act is in effect no other than to continue a former Act past for that service.

An Act for letting to farm the excise on strong liquors retailed &c This excise being one fund for sinking the paper money, is let to farm yearly.

An Act to encourage the destroying of Wolves and Panthers in Dutches County, and Wolves in Orange County These Counties being much infested by those creatures made this Act necessary

An Act to repeal that part of an Act intituled an Act to lay a duty on the goods and a tax on the Slaves therein mentioned &c The duties on beef, Pork and Syder, having fallen very short of the Assemblies expectations, and having been an injury to the trade of this place, by driving our Neighbours to other markets, it was necessary to repeal that part of the Act, and that the paper money for the sinking whereof that fund was given, might preserve its credit and be sunk within the time limited; a duty on goods sold by Auction is given by this Act, which it is thought will amount to more than the duty on Beef &c

An Act to enable the Justices of the Peace living in that part of Orange County lying to the Northward of the Mountains, to raise a Sum not exceeding one hundred pounds, for finishing and compleating the Court House and Goal in Goshen.

An Act to enable the Mayor, Recorder and Aldermen of the City of Albany, and Justices of the Peace of the said City and County, to build a new Court House and Goal for the said City and County

The reasons for passing these Acts are in the preamble

An Act to continue an Act entituled an Act to regulate the Militia, with an addition thereto, The Act which this Act continues your Lordships have, the addition is thought very necessary in time of war.

An Act for the better relief of the poor in Dutchess County. In other Counties the Supervizors have raised money for the purposes mentioned in the Act, but in this they have made some scruple, to remove those Scruples for the future this Act is past

An Act to prevent abuses in repacking of Beef and Pork. The reason for passing this Act appears in the preamble and it is known in the Sugar Colonies that the Pork of this and the Northern Colonies, is much better than that of Virginia, Carolina, and Maryland.

An Act to cancell the Bills of Credit of this Colony. The reason for passing this Act, appears in the preamble

Besides these I do myself the honor to send your Lordships, the Act past last Summer for victualling and transporting the five companies I raised for the expedition against the Spaniards, which I had the good fortune to effect, contrary to the expectation of many, and even of the Assembly, and if the numbers of the people of this province be compared with those of our Neighbours, it will appear that we have gone much beyond them in these levies. this is the first essay from whence some Judgement may be made of what may be done hereafter, tho that will in a great measure be governed by the encouragement that these find, the Captains have been at great expence in getting men, being greatly encouraged thereto by the hopes of being put on the same establishment with the new raised Regiments in England and if they are disappointed, I fear it will be very difficult hereafter to raise a body of men, for it is chiefly the knowledge and opinion they have of the Captains who are to command them, that induce them to inlist.

B. The Assembly is now sitting, to whom I had many things to recommend, as your Lordships may be pleased to see in my speech, wherein I have mention'd the unhappy fire, which on the 18 of the last month burnt the fort, most of the records are saved, and I hope

very few lost for I took all the possible care of them, and had all removed before the office took fire, but before an engine could be brought, the house was past saving, for it being covered with Cedar Shingles, and all the floors and wainscots old, they took in an instant and burned with that fury, that no human power could extinguish it. The expence of rebuilding will be considerable, but I know the present circumstances of the Province to be much better than ever, and so very good, that that expence will not be felt A Gentleman of one of the best Estates told me, he supposed that his proportion upon an equal tax would not come to forty shillings. But my private loss is very great and more than I am able to bear without bending under it.

Since that fire we have had many in the town sometimes four in a day and some of them apparently kindled by design, which begat a general consternation I have done all I could to discover the villaines both by issuing a proclamation with a reward and otherwise but hitherto without effect, many Negroes are imprisoned on suspicion, but as yet no proof appears against them I now keep a night guard of the Militia who constantly patroll, the people obeying very chearfully, and I have recommended to the Assembly to pass a Bill to oblige them to it under proper penalties.

C. Your Lordships know perfectly well the consequence of retaining the Six Nations in their dependence on his Maj^{ty} and are sensible of the arts the french use to entice them from us, and that now we hold them by nothing but by presents, I humbly think that if there be a rupture with France, it will be absolutely necessary to take from them their two forts on Cadaraqui Lake Vizt Frontenac at the North East End, and Niagara at the Southwest End and to destroy the two Brigantines that they have now on that Lake which are imployed in carrying their merchandize from one end to the other, and men, ammunition and provisions to those forts; if we do that we cut off the communication between Canada and Mesasippi, and gain the trade and friendship of those numerous Nations of Indians, that lie to the Northward and Westward of the Lakes, and if when this be done, as I see no great difficulty in it, we take the Island Breton, that will open a way to the entire conquest of Canada, and preserve our fishery at Newfoundland, which will otherwise I fear from Louisbourg be much annoyed, if not quite lost: If we do not drive the french from that Lake and thereby stop all intercourse between Canada and Mesasipi, the French will in time, by means of the Indians, drive all the planters in the English Colonies from their settlements, and make them of little use to England, or put it to a vast charge to protect them I have in my Zeal for his Majesties Service, presumed to write to his Grace the Duke of Newcastle on this Subject.

D. With the Publick Acts goes a private one in favour of M^{r} Malcom, which carries with it the reason for passing it. The Acts are much dirted and tumbled in removing them in the time of the fire, which I hope your Lordships will excuse

E. I have obeyed the orders of their Excellency's the Lords Justices, by prohibiting the exportation of Provisions to any other place than his Majesty's Dominions, I am with the greatest Respect and Honor

My Lords

Your Lordships

most humble and

most obedient Servant

GEO: CLARKE

The R^{t} Hon^{ble} the Lords of Trade.

Duke of Newcastle to the Lords of Trade.

[New-York Papers, Gg., No. 58.]

Whitehall April 30. 1741.

My Lords

His Majesty having been pleased to appoint the Hon: George Clinton Esq: to be Governor of New York in America, in the room of the Lord Delawarr, am to signify to your Lordships His Majesty's pleasure, that you prepare draughts of a Commission, and Instructions for him, in order to be laid before His Majesty for his approbation

I am

My Lords

Your Lordships

most obedient

humble Servant

HOLLES NEWCASTLE

Lords Commissioners for Trade.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 94.]

New York May 15th 1741.

My Lord.

On the seventh of this month I had the honor to receive your Grace's letter of the 4th of December relating to the forces already raised to serve under the command of Lord Cathcart, and others to be raised if Lord Cathcars should send to me for any number of men, for recruits or for any other service. As to the first I must beg leave to refer to the muster rolls, which the commissary sent home, for an account of the men already sent, having lost many of my papers, and among them those of the number of those Troops, in the unhappy fire that laid the Fort in Ashes; but this I confidently assure your Grace that the fire companies I raised were compleat, having in them full five hundred effective men, serjeants, corporals and Drums included, and if I am not mistaken there went four or five men more than the five hundred, who were not in the Rolls.

As to Recruits or new Levies I beseech your Grace to be assured, I will use my utmost application to raise them, whenever General Wentworth who succeeds Lord Cathcart[1], writes to me for them; but I forsee my zeal will not have the effect I could otherwise hope for, for the frequent attempts to fire the Town, since the Fort was burnt, having wonderfully distracted the mind of the people thoughout the province, who are in continual apprehensions of having their houses set on fire, in consequence of an horrid conspiracy of the negroes (which we now

[1] CHARLES, 8th Lord Cathcart, son of Lord Allan, and Hon. Miss Dalrymple, was first groom and afterwards gentleman of the bed-chamber to King George II., Colonel of a regiment of horse in Ireland, and governor of Duncannon, in 1735. Having been appointed to the command of the forces on the Carthagena expedition, he died at St. Christopher, 1740. He married, first, Mary Margaret Schaw, and second, the widow of Joseph Sabine. *Debrett.* — ED.

begin to have some hopes of discovering, and even that the fort itself was wilfully set on fire by them notwithstanding that the circumstance of time and place led me to think it was accidently done by a plumber) with the apprehension of a French warr as this is a frontier province, will I believe induce all or most of the people who have anything at stake to stay at home for their own safety and defence, and to diswade others, who are not under those circumstances, from leaving the Country; but in other provinces which are not so unhappily circumstanced, I make no doubt but men may be raised for the service, especially as the first Levies have met with such glorious success at Cathagene under the Command of Gen[l] Wentworth.

His Maj[tys] gracious approbation of my diligence and zeal for His Maj[tys] service in raising the five companies, emboldens me to say, that if the number of white people in this province be compared with those in other provinces, it will I presume appear that the largest portion of troops has been raised here, from whence it will be evident that many more might then and many yet be raised in the other Provinces.

As his Maj[tys] pleasure is not signified in Your Graces letter how the Recruits or new Levies are to be victualled and transported, I will first try the Assembly, and if they will not do it, I presume I must then act therein upon His Maj[tys] secret instructions to me of the 2[nd] of April 1740. and find transports and provisions for them, and draw upon the Commissioners of the Navy for the payment thereof, which I will do if I have the good fortune to raise any men, wherein I will leave no mean unessayed. I humbly beg leave to implore your Graces protection and to subscribe myself with the most profound submission—

My Lord—Your Graces—most humble most obedient and most dutiful servant

(signed) G. Clarke

His Grace the Duke of Newcastle

Lords of Trade to the Duke of Newcastle.

[New-York Entries, M., p. 108.]

To His Grace The Duke of Newcastle.

My Lord.

Having in obedience to His Majesty's Commands signified to us by Your Grace's letter of the 30[th] of April last, prepared the Draught of a Commission for George Clinton Esq[r] to be Governor of New York in America. We take leave to inclose the said Draught to Your Grace with Our Representation thereupon, which you will please to lay before their Excellencies the Lords Justices. We are,

My Lord,

Your Grace's most obedient
and most humble Servants
Monson
M. Bladen
B. Keene
Tho: Pelham.

Whitehall
May 21[st] 1741

Representation to the Lords Justices

To their Excellencies The Lords Justices.

May it please Your Excellencies.

In obedience to his Majesty's Commands, Signified to us by a letter from His Grace The Duke of Newcastle dated the 30th of April last, We have prepared the Draught of a Commission for George Clinton Esqr to be Governor of New York in America which being in the usual form, we herewith humbly lay the same before Your Excellencies and shall prepare the necessary Instructions for him with all possible dispatch.

Which is most humbly Submitted

Monson
M. Bladen
B. Keene
Tho: Pelham.

Whitehall
May 21st 1741.

Commission of George Clinton, Esq., to be Governor of New-York.

George the Second by the Grace of God of Great Britain, France and Ireland King Defender of the Faith &ca To our Trusty and Welbeloved the Honourable George Clinton Esq Greeting.

Whereas we did by our Letters Patents under our Great Seal of Great Britain bearing date at Westminster the [fifteenth] day of [August] in the [Eleventh] year of Our Reign constitute and appoint John Lord Delaware Captain General and Governor in Chief in and over our Province of New York, and the Territories depending thereon in America for and during our will and pleasure as by the said recited letters patents, relation being thereunto had may more fully and att large appear. Now know You that we have revoked and determined and by these presents do revoke and determine the said recited Letters Patents and every Clause, Article and thing therein contained.[1]

And further know you that we reposing especial Trust and Confidence in the prudence, courage and loyalty of you the said George Clinton of our especial Grace, certain knowledge and meer motion have thought fit to constitute and appoint and by these presents do constitute and appoint you the said George Clinton to be Our Captain General and Governor in chief in and over our Province of New York and the Territories depending thereon in America.

And we do hereby require and command you to do and execute all things in due manner that shall belong unto Your said command and the Trust we have reposed in you, according to the several powers and Directions granted or appointed you by this present Commission, and the Instructions and Authorities herewith given you or by such further powers Instructions and Authorities as shall at any time hereafter be granted or appointed you, under our signet or sign Manual or by our order in our Privy Council and according to such reasonable Laws and Statutes as now are in force or hereafter shall be made and agreed upon by you with the advice

[1] therein mentioned. *Book of Commissions*, IV., 106. — Ed.

and consent of our Council, and the Assembly of our said Province under Your Government in such manner and form as is hereafter expressed.

And Our Will and pleasure is that you the said George Clinton after the publication of these our letters Patents do in the first place take the Oaths mentioned to be taken by an Act passed in the 1st year of our late Royal Father's Reign Entituled "An Act for the further security of "His Majesty's Person and Government and the Succession of the Crown in the Heirs of the "late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended "Prince of Wales and his open and Secret Abettors." As also that you make and subscribe the Declaration mentioned in an Act of Parliament made in the 25th year of the Reign of King Charles the Second entituled "An Act for preventing Dangers which may happen from Popish Recusants" and likewise that you take the usual oath for the due execution of the office and Trust of our Captain General and Governor in Chief in and over our said Province of New York and Territories depending thereon for the due and impartial administration of justice, and further that you take the oath required to be taken by Governors of Plantations to do their utmost that the several Laws relating to Trade and the Plantations be observed which said Oaths and Declaration our Council in our said Province or any three of the Members thereof have hereby full power and Authority and are requested[1] to tender and Administer unto you and in Your absence to our Lieutenant Governor if there be any upon the Place [all which being duly performed You shall administer to each of the Members of our said Council as also to our Lieutenant Governor if there be any upon the Place,] the oaths mentioned in the said Act entituled "An Act for the further Security of His Majesty's person and Government and the "Succession of the Crown in the heirs of the late Princess Sophia, being Protestants, and for "extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors," as also to cause them to make and subscribe the fore-mentioned Declaration, and to administer to them the oath for the due Execution of their places and Trusts.

And we do hereby give and grant unto you full power and Authority to suspend any of the Members of our said Council from sitting, voteing and assisting therein, if you shall find joint cause for so doing and if there shall be any Lieutenant Governor him likewise to suspend from the execution of his command and to appoint another in his stead untill Our pleasure be known.

And if it shall at any time happen that by the death, departure out of our said Province, or Suspension of any of our said Councillors or otherwise there shall be a vacancy in our said Council (any three whereof we do hereby appoint to be a Quorum) Our Will and Pleasure is that You signify the same unto us by the first opportunity that we may under our signet and sign Manual constitute and appoint others in their stead. But that our affairs may not suffer at that Distance for want of a due number of Councillors if ever it shall happen that there be less than seven of them residing in our said Province, We do hereby Give and Grant unto you, the said George Clinton, full power and authority to chuse as many persons out of the principal Freeholders, Inhabitants thereof, as will make up the full Number of our said Councill to be seven and no more which Persons so chosen and appointed by you shall be to all Intents and purposes Councillors in Our said Province, untill either they shall be confirmed by us, or that by the Nomination of others by us, under our sign Manual and Signet, our said Council shall have seven or more persons in it.

And we do hereby give and grant unto you full Power and Authority with the advice and consent of our said Council, from time to time as need shall Require to summon and call

[1] required. *Book of Commissions*, IV. 106. — Ed.

general assemblies of the said Freeholders and Planters within Your Government according to the usage of our Province of New York.

And our Will and pleasure is that the persons thereupon duly Elected by the Major Part of the Freeholders of the respective Counties and Places, and so returned, shall before their sitting take the Oaths mentioned in the said Act entituled "An act for the further security of His "Majesty's Person and Government and the succession of the Crown in the Heirs of the late "Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince "of Wales and his open and Secret Abettors," as also to make and subscribe the forementioned Declaration, which Oaths and Declaration You shall Commissionate Fit Persons under Our Seal of New York to tender and administer unto them, and untill the same shall be so taken and subscribed no person shall be capable of sitting though Elected; And we do hereby declare that the persons so elected and qualified shall be called and deemed the General Assembly of that our Province and the Territories depending thereon.

And you the said George Clinton with the consent of our said Council and Assembly or the Major part of them respectively shall have full power and Authority to make, constitute and ordain Laws Statutes and Ordinances for the publick peace, welfare and good government of our said Province and of the people and Inhabitants thereof and such others as shall resort thereto, and for the benefit of us, our heirs and successors; which said Laws, Statutes and Ordinances are not to be repugnant but as near as may be agreable unto the Laws and Statutes of this Our Kingdom of Great Britain, Provided that all such Laws, Statutes and ordinances of what nature or duration soever be within three Months or sooner after the making thereof, transmitted unto us under Our Seal of New York for our approbation or Disallowance of the same. As also Duplicates thereof by the next conveyance.

And in case any or all of the said Laws, Statutes and Ordinances (being not before confirmed by us, shall at any time be disallowed and not approved and so signified by us, our heirs and Successors under our or their Sign Manual or Signet, or by order of our or their Privy Council unto you the said George Clinton or to the Commander in Chief of our said Province for the time being then such and so many of the said laws, statutes and ordinances as shall be so disallowed and not approved shall from thenceforth cease, determine and become utterly void and of none Effect, anything to the contrary thereof notwithstanding.

And to the end that nothing may be passed or done by our said Council or Assembly to the Prejudice of us, our heirs, and successors, We will and ordain that you the said George Clinton shall have and enjoy a negative Voice in the making and passing of all Laws, Statutes and ordinances as Aforesaid.

And you shall and may likewise from time to time as you shall judge it necessary, adjourn Prorogue and Dissolve all General Assemblys as Aforesaid.

And our further Will and pleasure is that you shall and may use and keep the Public Seal of our Province of New York for Sealing all things whatsoever that pass the Great Seal of our said Province under Your Government.

And we do further give and grant unto you the said George Clinton, full power and authority from time to time and at any time hereafter by Yourself, or by any other to be authorized by you in that behalf, to administer and Give the aforementioned oaths to all and every such person and persons as you shall think fit who shall at any time or times pass into our said Province or shall be resident or abiding there.

And we do further by these Presents Give and Grant unto you full power and authority with the advice and consent of our said Council to erect, constitute and establish such and so many Courts of Judicature and public Justice within our said Province under Your Government as you and they shall think fit and necessary for the hearing and determining of all causes as well criminal as civil according to law and equity, and for awarding of execution thereupon, with all reasonable and necessary Powers and Authorities, Fees and Privileges belonging thereto, as also to appoint and commissionate fit persons in the several parts of Your Government to administer the oaths mentioned in the aforesaid Act, Entituled "An Act for the further Security "of His Majesty's Person and Government, and the Succession of the Crown in the heirs of "the late Princess Sophia, being Protestants and for extinguishing the hopes of the pretended "Prince of Wales and his open and Secret Abettors." As also to tender and administer the aforesaid Declarations unto such persons belonging to the said Courts as shall be obliged to take the same.

And we do hereby authorize and empower you to constitute and appoint Judges, and (in cases requisite) Commissioners of Oyer and Terminer, Justices of the peace and other necessary Officers and Ministers in our said Province for the better Administration of Justice and putting the laws in execution and to administer or cause to be administered unto them such oath or oaths as are usually given for the due Execution and performance of Offices and Places and for the clearing of truth in judicial cases.

And we do hereby give and grant unto you full power and authority where you shall see cause or shall judge any Offender or Offenders in Criminal Matters, or for any Fines or Forfeitures due unto us, fit objects of our Mercy to pardon all such offenders, and to remit all such offences, Fines and Forfeitures, Treason and Wilfull Murder only excepted, in which Cases you shall likewise have power upon Extraordinary Occasions to Grant Reprieves to the Offenders untill and to the Intent Our Royall pleasure may be known therein.

And we do by these Presents Authorize and impower you to collate any person or persons to any churches, chappels, or other Ecclesiastical Benefices within Our said Province and Territories aforesaid as often as any of them shall happen to be void.

And we do hereby give and Grant unto you the said George Clinton by Your self or by Your Captains or Commanders by you to be authorized full power and authority to levy, arm, muster, command and employ all Persons whatsoever residing within our said Province of New York and other the Territories under Your Government and as occasion shall serve to march from one place to another, or to embark them for the resisting and withstanding of all enemies, pirates and Rebels both at sea and land and to transport such forces to any of our plantations in America (if Necessity shall require) for the Defence of the same against the Invasion or attempts of any of our enemies and such enemies, pirates and Rebels if there shall be occasion to pursue or prosecute in or out of the limits of our said Province and Plantations or any of them, and, if it shall so please God, them to vanquish, apprehend and take, and being taken either according to Law to put to death or keep and preserve alive at Your Discretion and to execute Martial Law in time of invasion or other times when by law it may be executed and to do and execute all and every other thing and things which to our Captain General and Governor in Chief doth or ought of right to belong.

And we do hereby give and grant unto you full power and authority by and with the advice and consent of our said Council to erect, raise and build in our said Province of New York, and Territories depending thereon such and so many Forts and Platforms, Castles,

Cities, Boroughs, Towns, and Fortifications as you by the advice aforesaid shall judge necessary, and the same or any of them to fortify and furnish with Ordnance, Ammunition and all sorts of Arms fit and necessary for the security and Defence of our said Province, and by the advice aforesaid the same again or any of them to demolish or dismantle as may be most convenient.

And forasmuch as divers Mutinies and Disorders may happen by persons shipped and employed at sea during the time of War and to the End that such as shall be shipped and employed at sea during the time of War may be better Governed and Ordered, We do hereby give and grant unto you the said George Clinton full Power and Authority to constitute and appoint Captains, Lieutenants, Masters of Ships and other Commanders and Officers, and to grant unto such Captains, Lieutn^{ts}, Masters of Ships, and other Commanders and Officers, Commissions to execute the law Martial according to the Directions of an Act passed in the 13th year of the Reign of King Charles the Second Entituled "An Act for the Establishing Articles and Orders for the Regulation and better Government of His Majesties Navies, Ships of War, and Forces by Sea," during the time of War, and to use such Proceedings, Authorities Punishments, Corrections and executions upon any Offender or Offenders who shall be Mutinous, Seditious, Disorderly or any way unruly either at sea or during the time of their abode or residence in any of the Ports, Harbours, or Bays of our said Province and Territories, as the cause shall be found to require, according to the Martial Law and the said Directions during the time of War as aforesaid.

Provided that nothing herein contained shall be construed to the enableing you or any by Your Authority to hold Plea or have any Jurisdiction of any offence cause, Matter or thing committed or done upon the High Sea, or within any of the Havens, Rivers or Creeks of our said Province or Territories under Your Government by any Captain, Commander, Lieutenant, Master, Officer, Seaman, Soldier, or other Person whatsoever, who shall be in actual service and Pay in or on board any of our Ships of War or other Vessels acting by immediate Commission or Warrant from our Commissioners for Executing the Office of our High Admiral or from our High Admiral of Great Britain for the time being under the Seal of our Admiralty; But that such Captain, Commander, Lieu^{t} Master, Officer, Seaman Souldier or other person so offending shall be left to be proceeded against and tryed as their offences shall require either by Commission under Our Great Seal of Great Britain as the Statute of the 28th of Henry the 8th Directs or by Commission from our said Commissioners for Executing the Office of Our High Admiral or from Our High Admiral of Great Britain for the time being according to the aforementioned Act for the establishing Articles and Orders for the Regulateing and better Government of His Majesty's Navies, Ships of War and Forces by Sea and not otherwise.

Provided Nevertheless that all Disorders and Misdemeanours committed on Shore by any Captain Commander, Lieutenant, Master, Officer, Seaman, Souldier or other person whatsoever belonging to any of our Ships of War or other vessels acting by immediate Commission or Warrant from our said Commissioners for executing the Office of Our High Admiral or from Our High Admiral of Great Britain for the time being under the Seal of our Admiralty may be tryed and punished according to the laws of the Place where any such Disorders, Offences and Misdemeanours shall be committed on shore notwithstanding such offender be in our actual service and born in Our Pay on Board any such our ships of war or other Vessels acting by immediate Commission or Warrant from our said Commissioners for executing the Office of

our High Admiral or from Our High Admiral of Great Britain for the time being as aforesaid so as he shall not receive any protection for the avoiding of Justice for such offences committed on shore from any pretence of His being employed in our service at sea.

And our further Will and pleasure is that all publick Mony raised or which shall be raised by any Act to be hereafter made within our said Province and other the Territories depending thereon be issued out by Warrant from you by and with the Advice and consent of our Council and disposed of by you for the support of the Government and not otherwise.

And we do hereby likewise give and grant unto you full power and Authority by and with the advice and consent of our said Council to settle and agree with the Inhabitants of our Province and Territories aforesaid for such Lands, Tenements and Heredita[15] as now are or hereafter shall be in our power to dispose of and them to grant to any person or persons upon such Terms and under such moderate Quit Rents, Services and Acknowledgements to be thereupon reserved unto us, as you by and with the advice Aforesaid shall think fit; which said Grants are to pass and be sealed by our seal of New York and being entered upon Record by such Officer or Officers as you shall appoint shall be good and effectual in Law against us, Our Heirs and Successors.

And we do hereby give you the said George Clinton full power and Authority to order and appoint Fairs, Marts and Markets, as also such and so many ports, harbours, bays, havens and other places for the convenience and Security of Shipping and for the better loading and unloading of Goods and Merchandizes as by you with the Advice and consent of our said Council shall be thought fit and necessary.

And we do hereby require and command all officers and Ministers, Civil and Military and all other Inhabitants of our said Province and Territories depending thereon, to be obedient aiding and assisting unto you the said George Clinton in the Execution of this our Commission and of the powers and Authoritys herein contained and in Case of Your Death or absence out of our said Province and Territories depending thereon to be obedient, aiding and assisting unto such person as shall be appointed by us to be our Lieutenant Governor or Commander in Chief of our said Province to whom we do therefore by these presents give and grant all and singular the Powers and Authorities herein granted to be by him executed and enjoyed during our pleasure or untill Your Arrival within our said Province and Territories.

And if upon Your Death or absence out of our said Province and Territories depending thereon there be no person upon the place commissionated or appointed by us to be Our Lieutenant Governor or Commander in Chief of our said Province Our Will and pleasure is that the eldest Councillor whose name is first placed in Our said Instructions to you and who shall be at the time of Your Death or absence residing within Our said Province of New York shall take upon him the Administration of the Government and Execute our said Commission and Instructions and the several powers and Authorities therein contained in the same manner and to all intents and purposes as other our Governor or Commander in Chief of our said Province should[1] or ought to do in case of Your absence untill Your return or in all cases untill our further pleasure be known therein.

And we do hereby declare ordain and appoint that you the said George Clinton shall and may hold, execute and enjoy the Office and Place of our Captain General and Governor in Chief in and over our province of New York and the Territories depending thereon, together

[1] shall. *Book of Commissions*, IV., 106. — Ed.

with all and singular the powers and Authorities hereby granted unto you for and during our Will and pleasure.

And whereas there are divers Colonies adjoining to Our Province of New York for the defence and security whereof it is requisite that due care be taken in time of war, We have therefore thought it necessary for our service and for the better protection and security of our subjects inhabiting those parts to constitute and appoint and We do by these Presents constitute and appoint You the said George Clinton to be our Captain General and Commander in Chief of the Militia and of all the Forces by Sea and Land within our Colony of Connecticut and of all our Forts and Places of strength within the same.

And for the better ordering, Governing and Ruling our said Militia and all our Forces, Forts, and Places of Strength within our said Colony of Connecticut, We do hereby Give and Grant unto You the said George Clinton and in Your absence to our Commander in Chief of our Province of New York all and every the like powers as in these presents are before granted and recited for the ruling, Governing and Ordering our Militia and all our Forces, Forts and Places of Strength within Our Province of New York to be exercised by You the said George Clinton and in Your absence from our Territory and Dominion of New York, by our Commander in Chief of our Province of New York within our said Colony of Connecticut for and during our pleasure. In Witness Whereof We have caused these Our Letters to be made Patents. Witness, [John Archbishop of Canterbury and other Guardians and Justices of the Kingdom At Westminster the third day of July in the fifteenth Year of Our Reign

By Writ of Privy Seal

Bisse.]

Note. The words within brackets in the preceding Commission are added from the Record in *Book of Commissions*, in the Office of the Secretary of State, Albany, N. Y., IV. 105. — Ed.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers, (S. P. O.) No. 9, p. 95.]

New York June the 20th 1741.

My Lord.

I do myself the honor to acquaint your Grace, that I recommended to the Assembly to make provision while they were sitting for transporting and victualling, what recruits or new Levies I may raise, lest if I should wait till their next meeting and during their recess Genl Wentworth should write to me for them his Majtys service might suffer by delay, whereupon they resolved that they will at their next meeting take into their consideration, what may be proper to be done thereon, if Genl Wentworth should in the mean while apply for such recruits. By this resolve they hope to save their credit and their money too; their credit by a seeming disposition to do something, their money by having the business done if men can be raised before they meet, for if Genl Wentworth wants recruits they suppose he will soon write for them that they must be sent with all dispatch and that I must draw for the expence as the Governor of Pensilvania did for all the troops he raised, this they did not know, till they saw it in the

Philaderphia newspaper of the 14th of the last month, wherein it is said that the Governors bills drawn on the Commissioners of the navy for victualling and transporting the companies he raised were duely honor'd, or I believe (if the Assembly had known it last year) I should have found it much more difficult than I did to have brought them to provide for that expence, of this opinion are some of the house whom I have talked with, as also that they will, when it comes to the push refuse to give any thing for victualling or transporting Recruits or new Levies — however, I beg leave to assure Your Grace that I will do all I can.

The fatal fire that consumed all the buildings in the Fort, which from the circumstances of the time and place of the plumbers working I thought was accidental, now appears evidently to be done by design in consequence of an horrid conspiracy to burn it and the whole Town, as your Grace may be pleased to see in the inclosed paper, wherein the confessions and discoveries are written down in their own words just as they were spoken.—

The Plott was contrived by one Huson a white man to enrich himself by plunder, the negroes were by him brought into it, in hopes of shareing with him and of gaining their liberty; they were mostly sworn by him to secrecy and many of them died without disclosing it, and even denying it, for some time after the fort was burned I had no other thoughts of it, than that it was accident, but when three or four and once I think five houses were set on fire in a day and some of them apparently by design, I soon changed my thoughts and set myself heartily to work to find out the villany; these frequent fires threw the people into the utmost consternation and confusion; to appease their fears and to secure them from danger, I caused a guard of the militia to mount at the Town hall every night and to go the rounds duely, the Kings Troops doing duty regular as usual; this had a good effect by bringing the people again to think of their private business which for sometime was intermitted. I went constantly to every fire to give directions and to animate the people, and by my care and their activity, only one house, and that a warehouse of little value, was burnt, had the suspicion obtained, when those fires begun that the negroes were at the bottom of it, the whole town might have been laid in ashes, for men in that case would have been more intent upon guarding themselves and their families, than upon extinguishing the fires; The town was to have been burnt the night after the Fort, but was thus fortunately saved; In the evening the fire that was in the ruins of the Fort seeming to be extinguished, the people went to their homes, but about nine o'clock at night a strong North-West wind springing up kindled it again in several places, and the sparks begun to fly so that I apprehended they might set fire to some of the adjacent houses, and by that means endanger the whole Town, wherefore I thought it necessary to alarm the people who coming to the ruins of the Fort again and seeing the danger, thought it the safest way to watch that night and a company of the militia being by my orders in arms and going the rounds prevented the mischief designed.

The loss I have sustained by the fire is greater than at first it appeared to be, and to heavy for me to bear without being supported by Your Graces protection which I most humbly beg leave to ask, and to subscribe myself with the most profound submission My Lord — Your Graces — most humble, most obedient and most dutiful servant — (signed). G. Clarke

His Grace the Duke of Newcastle —

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 58.]

New York June the 20. 1741.

My Lords

Before the Assembly rose I had the honor to receive a letter from his Grace the Duke of Newcastle signifying his Majesty's Commands to me to raise what recruits or new levies the General of the forces on the Expedition should write for, I recommended it to the Assembly to make provision before they rose for victualling and transporting them, lest If I raise them during their recess the service should be delayed, they on the contrary resolved to take it into consideration at their next meeting expecting that in the mean while I shall raise them and send them, drawing as M^r^ Thomas the Gov^r^ of Pensilvania did on the Commissioners of the Navy for the troops he raised last year, the truth is that seeing in the Philadelphia News Paper of the 14 of last month that M^r^ Thomas had drawn for the whole expence and that his bills are paid they believe that I might have done the same and saved them £2500 and are, I fear determined to be at no more expence tho they wont say so, however I will do all I can both to raise men and to bring to pay the charge of victualling and transporting them; I expect likewise to meet with great difficulties in raising men at the time, for the confusion which the conspiracy some white people and the Negroes entred into burn this town and to destroy the inhabitants has begat a general opinion that no man ought to leave his habitation to go out of the Province and the apprehension of a French warr as this his a frontier Province will make every one, who has any thing at stake industrious to discourage men from inlisting themselves for this expedition lest a rupture with France should soon happen, these are my apprehensions, however I will use my utmost application to raise recruits when the General writes for them, for as I did last year raise a greater proportion of Troops than any of our Neighbouring Colonies, as will I believe evidently appear by examining the lists of white people in the Colonies, I shall be very sorry to fall short now.

Harvest drawing nigh the Country members were impatient to go home so that I was obliged to adjourn the Assembly till the middle of September, after they had passed two Bills, One to build the Secretaries Office, Barracks in the Fort, a Battery in this Town and to fortify Oswego; The other to obliged the people of this Town to a military night Guard.

(The fatal fire that consumed the buildings in the fort and great part of my substance, for my loss is not less than two thousand pounds, did not happen by accident as I at first apprehended, but was kindled by design in the execution of a horrid Conspiracy to burn it and the whole town and to Massacre the people, as appears evidently not only by the Confession of the Negro who set fire to it in some part of the same gutter where the Plumber was to work but also by the testimony of several witnesses, how many Conspirators there we do not yet know every day produces new discoveries an I apprehend that in the town, if the truth were known, there are not many innocent Negromen, and it is thought that some Negroes of the Country are accomplices and were to act their part there, and to this belief I am led by the villany committed in New Jersey sometime after the fort was burnt, for at a Village called New wark seven Barnes were burnt in one night, for which two Negroes were tried and executed; In this Town there have been already executed for this Conspiracy seventeen viz^t^ Three Whites (Huson the contriver and main spring of the whole design, his wife and another white woman

who lived in Huson's house, and had a bastard by one of the Negro Conspirators) and fourteen Negroes Huson is hung in chains, for the rest that or may be executed, I desired the Judges to single out only a few of the most notorious for execution, and that I would pardon the rest, on condition that the pardon be void if they be found in the Province after a certain day, whereby their masters will transport them out of hand, I do myself the honor to send your Lordships the minutes taken at the tryal of Quack who burned the fort, and of another Negro, who was tryed with him, and their confession at the stake, with some other examinations, whereby your Lordships will see their designs, it was ridiculous to suppose that they could keep possession of the Town, if they had destroyed the White people, yet the mischief they would have done in pursuit of their intention would never the less have been great.

My loss sits very heavy upon me, His Majesties bounty and goodness, I am sensible are vastly great, but yet I know not how to hope for relief, unless thro the protection of his Grace the Duke of Newcastle, upon your Lordships favourable recommendation which I beg leave to ask.)

Whether or how far the hand of popery has been in this hellish conspiracy I cannot yet discover, but there is room to suspect it, by what two of the Negroes have confest, Viz^{t} that soon after they were spoke to, and had consented to be parties to it, they had some checks of conscience which they said, would not suffer them to burn houses and kill the White people; whereupon those who drew them into the conspiracy told them, there was no sin or wickedness in it, and that if they would go to Huson's house, they should find a man who would satisfy them but they say they would not nor did go; Margaret Keny was supposed to be a papist, and it is suspected that Huson and his wife were brought over to it: there was in Town some time ago a man who is said to be a Romish Priest, who used to be at Huson's, but has disappeared ever since the discovery of the conspiracy and is not now to be found, upon this occasion I do myself the honor to send your Lordships a paragraph of General Oglethorps letter to me.

I do myself the honor to send your Lordships the naval officers accounts for the last year, and I have the pleasure to say that if your Lordships will be pleased to compare those of the last three years with those of three years before I had the Government, you will see that the trade and navigation of the Province is greatly increased. I am with the highest respect and honor

My Lords

Your Lordships

most humble and

most obedient Servant

R^{t} Hon^{ble} the Lords of Trade. GEO: CLARKE

Paragraph of General Oglethorp's letter to M^{r} Clarke Lieut^{t} Gov^{r} of New York.

Frederica in Georgia 16 May 1741

Sir

A Party of our Indians returned 8th instant, from war against the Spaniards, they had an engagement with a party of Spanish horse just by Augustine, and brought one of them prisoners to me, he gives me an account of three Spanish Sloops and a Snow Privateers, who are sailed from Augustine to the Northward of Cape Fear, to cruise from thence to the Eastward and Northward for the provision vessells bound from the Northward to the West Indies; hoping

thereby to supply themselves with flour, of which they are in want; besides this account which he gave to me he mentioned many particulars in his examination before our Magistrates; Some intelligence I had of a villanous design of a very extraordinary nature, and if true very important, Viz^{t} that the Spaniards had Emmissary to burn all the magazines and considerable Towns in the English North America, and thereby to prevent the subsisting of the great expedition and fleet in the West Indies; and for this purpose many priests were employ'd who pretended to be Physicians, Dancing masters and other such kinds of occupations, and under that pretence to gett admittance and confidence in families as I could not give much Credit to these advices, since the thing was too horrid for any Prince to order; I asked him concerning them but he would not own he knew any thing of them.

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 136.]

To George Clarke Esq^{r}

S^{r}

Since our last to you of the 8th of August 1740 we have received Your Letters of the 13th of June, 4th of August and 10th of November 1740 and of the 22^{d} of April and 20th of June 1741 together with the Papers transmitted therewith.

We have also received a compleat collection of the Acts of Assembly passed in Your Province from the year 1691 to the year 1740 transmitted with Your letter of the 4th of August last.

We congratulate you upon the agreement you have made with the Six Nations (mentioned in Your letter of the 10th of November last) and hope as you have induced them to enter into the Covenant Chain with the rest of the Indians under His Majesty's Protection it will be a means of establishing a lasting peace amongst them.

We did in ours of the 8th of August last acquaint You that we had recommended to his Majesty the sending Presents to the Indians agreable to Your proposal, and we presume Your Agent has informed You what has been done in that affair.

We are extremely sorry to hear of the Fire that you sent us an Account of in yours of the 22^{d} of April but are pleased to find by the same that the Expence of Repairs thô very considerable will not be a load too great for the Province to bear.

We find by Your next letter of the 20th of June that you have discovered the Contrivers and Authors of the Villainy and have brought some of them to punishment and are in pursuit of the Rest. We hope that an effectual stop has been put to this pernicious conspiracy.

As for your own particular Loss we are very much concerned for it and have in compliance with Your Desire recommended to His Grace The Duke of Newcastle that part of Your Letter which relates to it to be laid before His Majesty.

We have only further to acquaint you that we desire that once in Six Months You would send us over a list of such of the Members of the Council in Your Government as are either dead

or absent, and that with regard to the last you specify from whom and for how long a time they have their licence and that you take care to make an annual Return to the General Queries formerly sent, that we may be apprized from time to time of any alterations that may happen in the Circumstances of Your Government. So we bid You heartily farewell, and are

Your very loving friends
and humble Servants
B. KEENE
M. BLADEN
JA. BRUDENELL
R. PLUMER.

Whitehall
Aug^{t} 20th 1741.

Lords of Trade to the Duke of Newcastle.

[New-York Entries, M., p. 139.]

To His Grace The Duke of Newcastle.

My Lord,

Having prepared a Draught of General Instructions as likewise of those which relate to the Articles of Trade and Navigation for the Hon^{ble} George Clinton Esq^{r} whom His Majesty has been pleased to appoint his Governor of New York, We take leave to inclose the said Draughts to Your Grace together with Our Representation thereupon and to desire Your Grace will be pleased to lay the same before their Excellencies The Lords Justices. We are, My Lord,

Your Grace's most obedient
& most humble Servants
M. BLADEN
R. PLUMER
B. KEENE
JA. BRUDENELL.

Whitehall
Aug^{t} y^{e} 20th 1741

To their Excellencies The Lords Justices.

May it please Your Excellencies

Representation to the Lords Justices upon the drafts of the Instructions for Gov: Clinton.

In obedience to His Majesty's commands signifyed to us by His Grace The Duke of Newcastle one of His Majesties Principal Secretaries of State in his letter of the 30th of April last We have prepared the inclosed Draughts of General Instructions and of those which relate to the Articles of Trade & Navigation for the Hon^{ble} George Clinton Esq^{r} whom His Majesty has been pleased to appoint Governor of the Province of New York in which we have made no alterations, additions or omissions from such General Instructions as His Majesty has already approved for His other Governors in America except in the following articles.

We have inserted in the 1st Article the names only of ten Councillors instead of twelve not being at present well informed of the characters of any Persons inhabiting that Province proper

to supply the Vacancies of the two Councillors: But so soon as we shall receive a List from His Majesty's Governor of such persons as are qualified to serve in that Station We shall recommend them to His Majesty to supply the said Vacancys.

The 26th Instruction empowering the Governor to receive an additional Salary is in pursuance of His Majesty's particular Directions for that purpose and we have inserted in it the following words "as also for providing a house for you His Majesty's Governor or for the Governor "for the time being" instead of the words formerly used Viz^{t} "as also for keeping up and repairing the house alloted for you Our Governor or for the Governor for the time being" the Governors house having been destroyed by the late ffire in New York.

In the 31st Instruction relating to the Appointments of the Lieutenant Governor during the Absence of the Governor We have omitted the words New Jersey which is now a distinct Government.

The 75th Instruction contains the substance of 75. 76 & 77th Articles in the Instructions given to the late Governor and is agreable to what His Majesty has approved of to his other Governor save only that at the end of it We have inserted the following Words "To wear the "same Ensign as Merchant Ships & a red Jack with the Union Jack in a Canton at the upper "corner next the Staff." pursuant to the Opinion of His Majesty's Commissioners for executing the Office of High Admiral of Great Britain and agreable to our Representation to their Excellencies the Lords Justices dated the 7th of August 1740 instead of the Words formerly used in the Instructions given by His Majesty to His Governors in America.

The 77th Instruction relating to the powder Duty is inserted pursuant to an order of Council dated the 9th of April last directing us to prepare the same.

All which is most humbly submitted.

M. Bladen
R. Plumer
B. Keene
Ja. Brudenell

Whitehall
August 20th 1741

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 66.]

New York August the 24. 1741.

My Lords,

A. In my letter of the 20 of June I did myself the honor to inform your Lordships of the Plot to destroy this Town and people, but whatever I then said or could say falls short of what has since appeared; We then thought it was projected only by Huson and the Negroes but it is now apparent that the hand of Popery is in it, for a Romish Priest having been tryed was upon full and clear evidence convicted of having a deep share in it we have besides several other white men in prison and most of them (it is thought) I wish Papists, one of whom is a dancing master, some of them Soldiers in the two companies posted in this town, and the father and three brothers of that Huson who was hanged, Where by whom or in what

shape this plot was first projected is yet undiscovered that which at present seems most probable is that Huson an indigent fellow of a vile character casting in his thoughts how to mend his circumstances inticed some Negroes to rob their masters and to bring the stolen to him on promise of reward when they were sold but seeing that by this pilfering trade riches did not flow into him fast enough and finding the Negroes fit instruments for any villany he then fell upon the schemes of burning the fort and town and murdering the people as the speediest way to enrich himself and them, and to gain the freedom, for that was the Negroes main inducement. how long this Plot has been on foot is uncertain one of the Negroes who laid hold on my proclamation owned he was sworn by Huson last Christmas was three years, others two years ago others more lately but when or by what means the Priest and Huson became acquainted is but conjecture most likely it was by the means of Margaret Kerry who lived in Husons house and was executed with him for she being a profest Papist might disclose it to the Priest, be that as it will after he was acquainted with them the design seemed to proceed with more vigour The conspirators had hopes given them that the Spaniards would come hither and join with them early in the Spring but if they failed of coming then the business was to be done by the Conspirators without them many of them were christen'd by the Priest absolved from all their past sins and whatever they should do in the Plott many of them sworn by him (others by Huson to burn and destroy and to be secret, wherein they were but too punctual how weak soever the scheme may appear it was plausible and strong enough to engage and hold the Negroes and that was all that the Priest and Huson wanted for had the fort taken fire in the night as it was intended the town was then to have been fired in several places at once, in which confusion much rich Plunder might have been got and concealed and if they had it in view too, to serve the enemy they could not have done it more effectually for this town being laid in Ashes his Majesties forces in the West Indies might have suffered much for want of provisions and perhaps been unable to proceed upon any expedition or peice of service, from whence they might promise themselves great rewards, I doubt the business is pretty nigh at an end for since the Priest has been apprehended and some more white men named, great industry has been used through out the town to discredit the witnesses and prejudice the people against them and I am told it has had in a great measure its intended effect I am sorry for it for I do not think we are yet got near the bottom of it, when I doubt the principal conspirators lie concealed.

B. I have the honor to inform your Lordships that by the means of some people whom I sent last year to reside in the Senecas country (as usual) I obtained a deed for the lands at Tierrondequat from the Sachimes and I have sent orders to those people to go round the lands in Company with some of the Sachims and to mark the trees, that it may be known at all times hereafter how much they have given up to us.

C. General Oglethorp by his letter of the 12 of the last month acquaints me that the Creeks and Cherokees being by him informed of the treaty made last year at Albany by me with the Six Nations are much pleased with it and propose to send deputies thither but as his Majesty has been pleased to appoint Commodore Clinton to be Governor of this Province who hopes to be here the later end of this or the beginning of the next month it must be left to him to do therein as he thinks proper I am very glad that he will find the Province in great tranquility and in a flourishing condition able to support the Government in an honorable and ample manner and I hope he will bring them to do it, wherein nothing shall be wanting on my part

D. My great losses in the fire at the fort, after a very expensive year in promoting the expedition &c sit very heavy upon me; and I again beg leave to intreat your Lordships to recommend me to the Protection of his Grace the Duke of Newcastle hoping that thereby his noble and generous nature may be wrought upon to keep me by some means or other from sinking under the weight of my misfortunes, I am infinitely bound to his Grace for his protection hitherto which I shall acknowledge as long as I live with the highest thankfulness and to your Lordships I beg leave to return my most humble thanks for all your favours and goodness to me, beseeching you to assist me in this my time of need, to which I am reduced by this execrable Plott.

E. I do myself the honor to send your Lordships the two Acts past the last sitting of the Assembly Viz^{t} An Act for the morequal keeping military Watches in the City of New York and for other the purposes therein mentioned.

The reason for passing this Act appears in the preamble.

An Act for the better fortifying of this Colony and other the purposes therein mentioned. In this Act your Lordships may be pleased to see that I have got the Assembly to put this Town in a better posture of defence, to build the Secretaries office and a Barrack all of them necessary workes I likewise prevailed with them to fortify Oswego, and to give an hundred pounds to be applyed in buying provisions for the relief of the Indians who were in great want, from the length and severity of the last winter, and I am perswaded that this Act of Humanity will be remembered by them at all times with gratitude

F. I have the honor to receive your Lordships letter of the 17th of April with the two Acts of Parliament.

G. I beg leave before I conclude to acquaint your Lordships that of the conspirators there have been executed Three Whites and twenty nine Negroes, pardoned one white Woman, viz^{t} Husons daughter and pardoned and transported eighty Negroes besides eight Negroes not indicted but being accused and strongly suspected to be guilty their masters consented to transport them.

Ury whose tryal I sent your Lordships is sentenced to be hanged.

I repreived him for a few days upon his Petition for a short time to prepare himself but that being expired he is by rule of Court made since to be executed next Saturday. I humbly recommend myself to your Lordships protection and am with the highest respect and honor

My Lords

Your Lordships

most humble and

most obedient Servant

Geo: Clark .

P. S.

I do myself the honor to send your Lordships an account of the Persons who have been naturalized by Act of Parliament

The R^{t} Hon^{ble} the Lords of Trade.

Deed to His Majesty of the Land around Irondequoit.

[From Record in Secretary's office, Albany.]

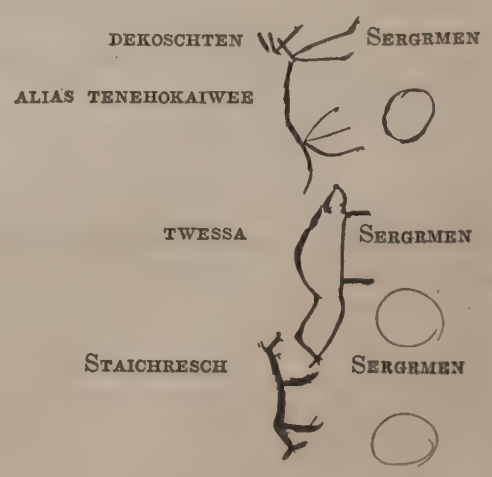
To all People To Whom these presents Shall or may come We Tenehokaiwee Tewassajes And Staghreche Principall Sachims of the Sinnekes Country Native Indians of the Province of New York Send Greeting Know yee that for Sundry good Causes and considerations us Moveing but More Especially for and in Consideration of the value of one hundred Pounds Currant money of the said Province, unto us in hand paid and delivered at and before the Ensealing and delivery hereof by.

the Receipt whereof we do hereby acknowledge and therewith to be fully paid and Contented and thereof and therefrom and of and from every part and parcell thereof do fully Clearly and absolutely request Exonerate and discharge them the Said

their Executors Administrators and Assigns and every of them for ever by these presents have therefore given granted Released and forever quiet Claimed and by these presents for us and our defendants do give grant Release and forever quiet Claime unto our most gracious Sovereign Lord George the Second by the grace of God of Great Britain France and Ireland King Defender of the faith &c his heirs and Successors all our Right title and Interest Claime property Profession and Demand of in and to all that Tract of Land Scituate lying and being in the County of Albany Beginning on the bank of the Osweego Lake six miles easterd of Tierondequat & runs from thence along the Lake westward twenty miles & from the Lake South eastward thirty miles keeping that distance from the Lake all the way from the beginning to the end with all and Singular of woods underwoods trees mines mineralls Quarrys hereditaments and appurtenances whatsoever and the Reversion and Reversions Remainder and Remainders Rents Issues and profitts thereof To have and to hold all and singular the above bargained premisses with the appurtenances unto our said most gracious Sovereign Lord his heirs Successors and Assigns to the Sole and only proper use benefitt and behoof of our Said Sovereign Lord his heirs Successors and Assigns for ever In Testimony whereof we have hereunto Sett our marks and Seals this tenth day of January in the fourteenth year of his Majesties Reign annoq: Dom: $174\frac{0}{1}$.

Signed Sealed and Delivered
In the presence of

hendryck Wempel
Jacobus Van Eps
Philip Ryder



Albany 3d October 1741 appeared before Philip Livingston Esqr one of His Majesties Councill for the Province of N York Hendrik Wemp Jacobus Van Eps & Philip Roylie who declared on the holy Evangelists of Almighty God that they saw the within named Tenehokaiwe Tewassajes and Staghreche Sachims Sign Seale & deliver ye within deed as their voluntary act & deed for the use therein mentioned

P: Livingston

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 124.]

New York, October the 19th 1741.

My Lord.

General Wentworth having wrote to me for recruits, I am now giving the recruiting Officer he sent, all the assistance in my power, no one having the service more at heart; how I shall succeed, I cannot yet make any tolerable guess, I fear the late execrable plott will discourage the men who migh otherwise inlist. I do myself the honor to send your Grace my speech to the Assembly and their address; I endevoured all I could to smooth the way for Captn Clinton, and have taken no small pains in conversation to convince the Members, that they ought to give to His Majty on Captn Clintons arrival, a revenue for such term of years, and without particular applications as former Assemblys have constantly done upon the arrival of every Governor in chief, but all in vain, they seem to be very positive and very obstinate, however, I hope he may bring them to reason—I beg leave to assure Your Grace, that if I can assist him therein, or in any thing else, I will most readily do it—

I humbly beg leave to crave Your Graces protection, that, by it, I may be raised from my deplorable circumstances, occasioned by the horrid conspiracy to burn the Fort and this town and people, into a condition to support my numerous family. Every day swells the account of my losses by the fire, for it was not possible, soon to know the whole, and I fear I do not know all yet, tho' what I do know amounts to between two and three thousand pounds. I humbly beg pardon for this presumption, and leave to subscribe myself with the most profound submission—

My Lord

Your Graces.

most humble, most obedient and

most dutiful servant

His Grace the Duke of Newcastle. (signed). G. Clarke

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 69.]

New York October the 19. 1741

My Lords

I do myself the honor to send your Lordships my speech to the Assembly and their address, I was willing even to the last to try my utmost efforts to bring them to a sense of their duty and tho I could not in my time obtain such a settlement of the revenue as I have always aimed at, yet I should have been very glad to have obtained it against Cap: Clintons arrival that he might have had no difficulty to encounter, for that is the only one, every thing else being in a happy situation, I know not how paper disputes between Governors and Assemblies came to be introduced and am surprized that they have not been long ago dropt since I never yet found they produced any good effects, for my part I looked for no address at this time it being usual with them to address on their meeting upon adjournments nor did I give any other than a general and verbal answer in few words (which they have taken no notice of). tho they have laid themselves open to severe reflections but the truth is I believe they expect a dissolution on Capt: Clintons arrival or soon after and calculated this address for a new election I am determined to give him all the assistance I can, and I hope by his prudence the present quiet and happiness of the province will be perpetuated.

On Friday last the Assembly passed the inclosed extraordinary resolve whereupon I the next day prorogued them to this, hoping that they may think better of it, here is a flagrant instance of the ill consequences of an Assemblys being permitted to appropriate the Revenue, and of giving it from year to year they have unmasked at last and in effect declared that if a Governor will not blindly pay all their bills how unreasonable or unjust or how contradictory soever to his duty and the Kings instructions he may think then they will starve him I presume to think that some method will be necessary to be taken at home to put a stop to this evil; I recommend myself to your Lords^{ps} protection and am with the highest honor and regard

My Lords

Your Lordships

most humble and

most obedient Servant

GEO: CLARKE.

The R^{t} Honb^{le} the Lords of Trade.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 70.]

New York 15 Dec^{r} 1741.

My Lords

Expecting next spring to deliver up the Gov^{t} to Captain Clinton I beg leave to do myself the honor as I think it my duty to lay before your Lordships the State of the Province

When I first entered on the administration of the Gov^{t} your Lordships know perfectly well that I found the Province in the utmost destraction occasioned by excess of party rage that had too long prevailed, in consequence whereof ship building was almost wholly laid aside nigh an hundred houses in the town stood empty for want of Tenants and the rents of those that were tenanted were fallen very considerably many people having left the Town and Province to seek their quiet in another place hoping likewise to follow their several occupations to more advantage they having then no prospect of seeing trade revive here which had for some time languished and was reduced to a low ebb; finding things in the situation I set myself to work to quiet the passions of the people and to put an end to party heats conceiving it to be the most probable means to give new life to trade and to people the town and Province this, notwithstanding all my application, took me up a considerable time to bring it to perfection, for in spite of my example and endeavours the spirit of party would now and then show it self; however at length I had the good fortune to bring the province to a state of as much quiet as the oldest man living has known it to enjoy the houses that stood empty are now all tenanted and now as many more since built as then were empty and even the houses that are now building are bespoke before they are finished and rents not only raised to what they were before they fell but above it, how shipbuilding and Trade in General have gradually increased under my administration the Naval officer and Collectors accounts will clearly shew.

The most principal obstruction to the peopling the Northern and frontier parts of this Province is the massacres that in King Williams warr was committed by the French Indians on the poor people that were themselves there, and the terror they were under continued a long time so that till after the peace of Utrecht our Settlements made very small progress, tho in Queen Annes war the French Indians did not molest us, at least till after our unfortunate Expedition against Canada was set on foot, which tranquil State was owing to an agreement between the six nations and the Cocknewago's not to desturbe one another, from whence we have learned that unless the Indians assist them the French will not venture to molest us; when I speak of the out settlements I mean the farmers and would not be understood of Oswego, that it is such an eye sore as will tempt the French on the first rupture to attack it and in its present defenceless condition they will I fear easily take it, wherein they will not want the assistance of Indians especially as they have two vessells on the Lake and we have none Were we superior in force on the water, we should not only preserve that place and drive the French from the forts which they have on that Lake but cut off the communication between Canada and Messasippi or make it to difficult for them to continue it, and vastly encrease our fur Trade, but of this I did myself the honor to write to his Grace the Duke of Newcastle and your Lordships; to return therefore, Soon after the peace of Utrecht the farmers began to setle in the Mohawks Country whose crops of wheat being known to be very good others soon followed and the progress has been so great that now there are several hundred families setled there to which I flatter myself I have not a little contributed and if the farmers who are now setled there can have a reasonable prospect of living unmolested without doubt that part of the country will greatly increase in people, the fertility of the lands being now generally known to be very good and farr exceeding any other in the Province, but if any of them should be attacked by the enemy I fear they would all desert their habitations, I therefore thought it a busines of the highest concernment to quiet that peoples apprehensions, and could think of nothing so effectual as to engage the six nations and the Cocknewago's in a treaty of neutrality which I have effected the Cocknewago's are a Nation of Indians setled near Montreal

in Canada being descended from the Mohocks from whom they formerly seperated by the intrigues of the French Priests the French caress them very much and are at all times unwilling to disoblige them lest they should return to their own Nation and Kindred, this chiefly respects the Mohocks Country and all our settlements to the westward of Albany and all the Province from hence to Georgia: Our Plantations to the Northward and Eastward of Albany and Provinces of Massachusets, New Hampshire and Connecticut lie exposed to the French and the Indians living near Quebeck who have often ravaged those countries killed many people taken others prisioners and drove the rest to seek their safety in Towns and places further removed from danger, this also I considered and knowing that the Indians whom the French let loose upou us, and whom they would on the first rupture instigate to annoy us are the Aguautecokes &c a people living nigh Quebeck and descended from our Schachtecoke or river Indians I set myself to work to bring them into a treaty of Neutrality which I have likewise effected, and now I think we are are in a pretty good situation and (if our Indians are rightly attended to and frequently and properly treated with) there is a fair prospect of its continuance until either we execute some design against Canada, or the French attack Oswego, of the first I have some time ago given your Lordship my thoughts, of the latter I have strong apprehensions the French have always threatened it and I doubt they will upon the first Notice of a rupture put their threats in execution, if they should and succeed as there is to much cause to fear they will, I am very suspicious it will shake the fidelity of the six Nations and perhaps they will gain them entirely from us an event that may prove fatall to all the English Colonies, I have endeavoured to awaken the Assembly to a sence of the danger and to perswad them to make suitable provision to oppose it both by fortifying Oswego and by making provisions for victualling a larger Garrison they gave money for the first in May but it being put into the hands of particular persons named by themselves in the Act, nothing is yet done in it but for the latter they have not at all provided; the six Nations are at present well disposed to us, I have got from them maugre all the opposition the French gave me a deed for Tierondequat Viz^{t} twenty miles along the Lake and thirty miles back into the Seneca Country I am looking out for people to settle there promising them Grants Gratis, and that I will endeavour to get them a remission of the Quit Rent for a term of years till they are in a condition to pay it.

The peace which I made last year for all the Southern Indians with the six Nations gives great satisfaction to the first the most considerable of whom Viz^{t} the Cherokees and Cattawbas have given some tokens of it to the Gov^{r} of South Carolina who has sent them to me to be deliver'd to the six Nations I proposed nevertheless that they should send deputies to Albany at my next interview with the six Nations that they may in person corroborate the peace, as the most sure way to make it perpetual But that and every thing else must be left to the better management of Cap: Clinton unless those deputies come time enough for me to meet the six Nations in the Spring before he arrives.

I cannot but think that all the other Colonies especially in time of war sho'd contribute for presents to be given yearly to the six Nations as they are their only Barrier the French do it to entice them from us, and in my humble opinion we must do it or loose thom, this Province gives money for presents that are delivered to them every two years which may do well enough in time of peace, but in time of war they ought to be given yearly, but the Assemblys is too small for that nor will they give more.

There is another Battery of twenty Guns erected this year in this Town and I hope next year the works about the House at Oswego will be made, but still in my humble opinion tha

will not do while the French are Masters upon the Lake Oswego lying at too great a distance from us to succour them in an Exigency

The Assembly seem more than ever determined to give the Revenue from year to year and to apply it, whereby they will have too great an influence even in those places where Justice ought to be unbiassed, nor will a Governour be at liberty to appoint such men for officers as he thinks are best qualified without running the risque of disobliging some of the Assembly who will not fail to remember it to his disadvatage.

Their Spirit will appear in a true light in an address which the Council and they have drawn and signed, and send home to be presented to his Majesty praying his Majesty to give them money to build a house Chappell &c in the Fort; they applyed to me to join with them in it, I declined knowing the motive they went on Viz^{t} their poverty to be false in fact, and they and every man in the Province knows it was never in so flourishing a condition as it is now, but what wont a selfish nigardly people say to save their money, they say they could not build the Barracks and Secretaries Office but by borrowing from the Fonds this likewise is untrue, they would not, but they could and erect all the other buildings by a Provincial Tax which would hardly be felt, they have no general Tax subsisting nor have had for several years, and I may venture to say there is not in America a Province less buthend than this, they were not ashamd in their address in april last to tell me that the Trade and Produce of the country have been long at a low ebb and yet in another part of it, that their Navigation has increased considerably, but I forbear to say more and ask your Lordships pardon for troubling you with this It will be impracticable to send your Lordships the Acts passed last sessions till next spring.

I have the honour to receive your Lordships letter of the 20 of August and beg leave to give your Lordships my most humble thanks for your goodness in recommending me to his Grace the Duke of Newcastle upon the score of my loses

The Councillors now living and residing in the Province are these

M^{r} Colden who lives about Sixty Miles from the Town
M^{r} Livingston who lives at Albany
M^{r} Kennedy
M^{r} Delancey
M^{r} Courtlandt } who all live in Town
M^{r} Lane
M^{r} Horsmanden
M^{r} Vanhorn dyed this year
My Son in England negotiating some private Affairs that absolutely require his presence

The queries I will do myself the honor to answer as your Lordships Command me. I humbly recommend myself to your Lordships protection and am with the highest respect and honor

My Lords
Your Lordships
most humble and
most obedient Servant
GEO: CLARKE

The R^{t} Hon^{ble} the Lords of Trade

Lieutenant-Governor Bull to Lieutenant-Governor Clarke.

[New-York Papers, Gg., No. 71.]

Charlestown South Carolina June 1741.

Sir

I herewith send for your perusall a copy of what passed in a conference which I had with the Cherokee and Catawba Indians in relation to the peace which you had been pleased to make with the six Nations on behalf of the Southern Indians in amity with his Majesty's subjects, those being the people who have chiefly felt the ill effects of a war with the six Nations. The news was therefore very agreable to them and they express'd a good deal of satisfaction when they deliver'd the tokens to me to be transmitted to the Senecas with their answer which I also herewith send you with their desire that the same may be conveyed to the six Nations whenever there is a suitable oportunity

Our dependance on the Cherokee Indians as a Barrier against the designs and encroachments of the French is very great they have several enemies to withstand besides the six Nations But as they were the most powerfull and are now willing to be at peace it will be a great advantage to the Cherokees as well as to his Majesty's service in these parts of his Dominions If the Peace which was procured by your care and endeavours can be continued

I am

Sir

Y^r^ most obed^t^ Servant

W^m^ Bull[1]

The Hon^ble^ Geo: Clarke Esq:
Lieut^t^ Gov^r^ of New York.

Conference with the Cherokee and Catawba Indians 23 May 1741.

Lieut^t^ Gov^r^

I am glad to see you As I thought the Peace which was concluded by the Gov^r^ of New York between the six Nations and the Southern Indians to be for your advantage therefore I acquainted you with it that you might consider of it and give an answer with some token to be sent back to the six Nations I am now ready to hear your Answer.

Cherokee. Then one of the beloved Cherokee stood up and say'd The Virginia Warrior brought a message from the Governour of Virginia to the Cherokee Nation relating to a peace with the six Nations with a Belt of Wampum but we did not take notice of it till we heard the same talk from the beloved man sent up to us by the Governour of Carolina. And as we are desirous to be at Peace with the Six Nations We are come down to acquaint you herewith We have brought with us some beads and also a Pipe and a White flag which we took from the French in a fight last Winter with an Eagles tail, which I now deliver to you and desire that they may be sent to the Six Nations as a Token of the Cherokees acceptance and confirmation of the Peace.

[1] In the year 1738, Samuel Horsley was appointed Governor of South Carolina, but he dying before he left England, the charge of the province devolved on William Bull, [senior member of the Council,] a man of good natural abilities, and well acquainted with the state of the colony. *Carroll's History of South Carolina*, 347. He was succeeded by Lieutenant-Governor James Glen. — Ed.

Catawba. After which one of the Catawba beloved men spoke thus to the Govr The Catawba have received your Talk relating to Peace with the Six Nations We heard the same thing from Virginia and saw the Belt of Wampum sent to the Cherokees but could not depend upon it as we had not then heard it from Carolina We are very desirous to be at Peace with the six Nations and notwithstanding what we have heard relating to the same We have had the misfortune about a month agoe to have two of our men killed and four women and three children carried away Prisoners by some of the Northern Indians but as they are desirous to have an end put to the war the Catawba's are ready to accept and confirm the peace and have accordingly brought a Belt of Wampum with a Pipe of Peace and some Tobacco which we desire may be sent to the Governour of New York to be delivered to the six Nations. The Catawba's desire further more that when you send those tokens to the six Nations that you would write to the Govr of New York and North Carolina as it is now peace that in case there are any Catawba's Prisoners among the six Nations they might have liberty to return home and be sent to Carolina by sea from New York and the Catawba's will give the same liberty to any of the six Nations that are among them.

Lieutt Governour. The talk which was sent from the Governor of Virginia relating to the peace was the same with the Governour of New York sent to me which you now find to be a true talk And as the Governr of New York had prevailed with the Seneca's to forbear any hostilities for the space of two years against the Southern Indians so he had promised the Seneca's that the Southern Indians should not commit any hostilities against them therefore you must from this time forbear to make any attempts upon any of the six Nations but to keep and perform the promise which that Govr has made on your behalf

Both the Cherokee and Catawba Indians promised to observe this and further desired and expected that when their tokens should be delivered to the six Nations they would by some means signify there acceptance of the Tokens sent by the Cherokee and Catawba Indians.

The Governour then addressing himself to the Cherokees say'd what do you want to do with the Belt of Wampum which was sent from the Six Nations through Virginia to your Nation which Mr Maxwell the beloved man delivered to me when he came from the Nation.

One of the beloved Cherokees answer'd at first we did not depend upon the Message concerning peace and the Belt of Wampum But now the Talk is confirmed by you we desire the Belt of Wampum may be lodged in the Town called Choety in our Nation which Belt of Wampum was thereupon delivered to the Cherokees.

Governor Oglethorpe to Lieutenant-Governor Clarke.

Frederica 12 July 1741

Sir,

The Chiefs of the Creek Indians having been here I acquainted them with your intention of a General Meeting of all the British Indians to settle a General Peace amongst them, they much approved the greatness and generosity of your design, They have already made peace by my Interpossession with the Cherokees and both of these Nations being by much the most

powerfull of all the Southern Indians are desirous to send up deputys to the conferrences as you have appointed and desire to know in what manner they can go with safety to that meeting I cannot omit in Joyning with them in commending this measure of yours for the uniting all the British Indians which is one of the noblest attempts that has been made in America and is surely the best measure that can be taken to guard against the French in case of a war I hope you will let me hear what I can do further towards bringing this Treaty to a happy conclusion.

Our Indians still block up Augustine by Land and are continually bringing in Prisoners from thence

I am
Sir
Your most obedient
humble Servant
JAMES OGLETHORPE.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 182.]

New York December 16th 1741.

My Lord.

I do myself the honour to send your Grace a copy of my letter to the Lords of Trade to which I beg leave to referr, assuring your Grace that as through the whole course of my administration of the Govern^{t} I have made it my utmost aim to restore quiet to the Province, to promote trade, to people the Country, to fortify it, to fix the affections and dependance of the six Indian nations, and to unite them with all the other Indians under His Maj^{tys} protection, wherein I have happily succeeded; so I have endeavoured to bring the Assembly to the former practice of giving a revenue for a Term of years without applications, tho' I must own in vain, and I beg leave to assure your Grace that when Govern^{r} Clinton arrives I will serve and assist him to the utmost of my ability, especially as M^{r} Walpole has acquainted me that it is your Graces pleasure I should, and I shall think myself extreamly happy if in obeying your commands I can in any wise contribute to his service; the greatest difficulty, and it will be no small one, will be to bring the Assembly to reason.

I have got the Assembly to give money for the victualling and transporting of an hundred recruits for Coll: Gooch's Regiment. I have raised and sent ninety two effective men, which exceeds my expectations, for tho' I pressed the Assembly to provide for two hundred, yet the late execrable conspiracy and the apprehensions of a French warr, as this is a frontier province, made the People in General unwilling to leave the province, and the men of substance active to discourage the poorer sort, and me very doubtful of raising any — I do myself the honor to send Your Grace a muster Roll of the recruits whom I have raised and sent to Generall Wentworth, on whose letter and instructions, I have advanced the money for Recruiting and have drawn for it as the General directed on the R^{t} Hon^{ble} M^{r} Pelham.

I humbly implore Your Grace's protection, and beg leave to subscribe myself with the most profound respect and honour

My Lord—Your Grace's—most humble
most obedient and most dutiful servant

His Grace the Duke of Newcastle. (signed.) G. CLARKE

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 241.]

To George Clarke Esq^{r} Lieu^{t} Gov^{r} of New York.

Sir.

Since our letter to you of the 20th of Augst 1741 We have received Yours of the 24th of August 19th of October & 15th of Dec^{br}, 1741 with the Papers therein refered to.

We heartily congratulate you on the Providential Discovery of the late conspiracy and Intended Massacre; The severity you have shewn to the Chief of those concerned in it & yours gentleness with regard to others whom you judged proper Objects of Mercy will, we hope, have their due effect towards securing the Province from any such attempts for the future.

We likewise congratulate you upon the Success you have met with in the Treaty lately made with the Indians for the Lands at Tierondequat, & hope you will take care to have them so well settled as to produce the advantage proposed by it of securing Your Frontiers towards the French Settlements, We hope likewise the other Treaty you have made with the Six Nations of Indians will be of service in uniting them and other Indian Nations in His Majesty's Interest.

We are pleased to hear you have prevailed with the Assembly to rebuild the Barracks & Offices & hope they will proceed to rebuild the Governor's house as well as the rest that were destroyed by the Fire, as to your particular loss sustained on that occasion we have already in our last acquainted You that we recommended the consideration of it to His Grace The Duke of Newcastle to be laid before His Majesty.

The provision the Assembly has made towards fortifying Oswego & relieving the Indians will certainly be money well employed.

We could wish the Reasons you have for the complaint you make concerning the Stubborness of the Assembly would be removed under Your Administration if not we must wait till we see what the New Governor will be able to do.

The Accounts you have given us in Your letter of the 15th of Dec^{br} of Your Government & its Frontiers, as likewise of what is wanted therein is very ample and Satisfactory, & We doubt not but that on M^{r} Clinton's arrival you will give him the necessary lights in regard to everything you may judge to be conducive to the good of the Province.

We must observe to you that you have not sent us Yearly, or oftener, as required by Your Instructions, Accounts of Receipts and Payments of all the Revenues in Your Governm^{t}, none of this sort having ever come to our hands, since the last sent us by Col^{o} Cosby ending at

Michaelmas 1734, Neither have we received the Naval Officers' Accounts from Lady Day 1739, nor any Minutes or Journals of the Council or Assembly since those ending the 14th of April 1739. These we shall expect from you by the first opportunity. So we bid you heartily farewell,

Your very loving Friends &c[a]

B. KEENE
JA. BRUDENELL
MONSON
M. BLADEN
R. PLUMER.

Whitehall Aug[t] 3[d] 1742

P. S.

Since the writing this we have received Your letter dated the 27th of May last together with the Minutes of Council & Acts of Assembly therein mentioned.

MONSON.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Papers, Gg., No. 74.]

New York Aug: the 24. 1742

My Lords,

In June I had an interview with the six Nations, who then confirmed the union I made, two years ago, of them and all the Indian Nations to the Westward under his Majesties Protection; an event which I am perswaded will prove very propitious to the British Dominions on the Continent, and in consequence to the Kingdom to which they belong; The Governours of Virginia, Carolina and General Oglethorpe, have an high opinion of it, the first of whom, in behalf of that Colony, gave an hundred pounds Sterling, in addition to the presents given by this on the Treaty of 1740, and General Oglethorpe sent me a Bill of Exchange for the like sum and service this year; and if all the Colonies to the Westward were to contribute yearly to it, it would not only make this Union inviolable, but also fix the dependance of the Six Nations more absolutely on us; the French use every Art to entice them, of which the most prevailing is that of Presents, the Indians know their interest, and are Governed by it, thô in suffering their Young men to engage in their Quarrels, they are blind to the designs of the French, Who, notwithstanding their outward Professions of Friendship, have nothing more at heart than their ruin, which cannot be more effectually accomplished than by having their fighting men consumed in their wars with those Nations who have it most in their power to interrupt the communication between Canada, and Messasippi; If the rest of the Colonies were to give but three hnnnred and fifty pounds Sterling yearly, as I presume they would upon a particular instruction to each Governour directing the proportion, The Governour of this Province might then be enabled, by the usual sum given by this Assembly to meet the six Nations every year, whereby we might in a short time bring them to a more entire devotion to us, if the loss of Oswego (which I much fear will fall into the hands of the French on the first rupture) does not stagger the best resolutions of the six Nations, who at present fear more

than they love the French; that Fortress, or rather trading House, for it is no better, is in a very defenceless condition, the Garrison consists but of a Lieutenant, Serjeant, Corporal, and twenty men it is and has been without Ammunition, the Assembly refusing to be at the expence, as well as to make provision for victualling a larger Garrison; it is true they have given money to build a wall round the House, but the Director of the works, instead of laying the stones in lime and sand, as by the Act he was to do, is laying them in clay; it is, as it is managed a jobb calculated rather to put money in the Pockets of those who have the management of the business, than for any real Service to the publick, thô it is a thing of the utmost importance, as the loss of it will certainly be followed by the loss of the furr trade, and very probably may by a defection of the Six Nations, the consequence thereof your Lordships know perfectly well, wherefore I forbear to say more on that head, doing myself the honor to send your Lordships a copy of what I said to the six Nations, and their answer

I likewise do myself the honour to send your Lordships the two Acts past the last Session of Assembly.

One is an Act regulating the payment of his Majes ties Quit Rents, and for the partition of Lands in order thereto without the latter, the first would be defective and leave the Recovery and Collection of the Quit Rents in as bad a condition as ever, and in a worse they could not be; but now the long Arrears for Lands granted to several persons in joint tenancy, or in common, and which have by many Sales been subdivided, and for want of a Partition could not be collected, will be paid, and the growing rents regularly collected; It is an Act which the Government has been long labouring to obtain, both for the purposes aforementioned and for the quieting the minds of the people, who were often threatned with prosecutions for the whole Quit Rent, amounting to a large sum, when each mans proportion was but small; which has been a great discouragement to the peopling of this frontier Province, and which I presume to think cannot be to much countenanced in that respect, as the safety of all the Colonies to the westward (in case of a french warr) depends upon the strength of this; besides a Court of Exchequer is in effect by this Act established, whereas the uncertainty arrising from the different opinions of the Lawyers on the legality of such a Court without an Act to countenance it, was one principal Cause of the unhappy animosities that a few years ago miserably divided the people, and had almost ruined the Place: The Receiver General will by this Act have more trouble in accounting with his Deputies than he had before, but he thinks it so much for his Majesties service, that he was very zealous to have it pass, and being one of the Council promoted it strenuously.

The other is an Act to apply the sum of six hundred and seventeen pounds thirteen shillings and four pence half penny for repairing Fort George, for transporting Voluntiers to the West Indies, and for other the purposes therein mentioned

This Act needs no other observation than that the Assembly are too sparing of their money, for the works to be done about the Fort are not half of what is necessary to put it in a defencible condition.

I beg leave to recommend myself to your Lordships protection being with the highest Regard and Honor

My Lords
Your Lordships
most humble and
most obedient Servant
GEO: CLARKE.

The R^{t} Hon^{ble} the Lords of Trade.

Conference between Lieutenant-Governor Clarke and the Six Nations.

[New-York Papers, Gg., No. 75.]

PRESENT—The Hon^ble George Clarke Esq:
Phillip Livingston
James De Lancey
Daniel Horsmanden } Esq^rs of the Council
The Com^rs of Indian Affairs

Speech made by the Hon: George Clarke Esq: Lieutenant Governour and Commander in Chief of the Province of New York to the six Nations of Indians Viz^t Sennekes Mohawks Cayouges Onondages Oneydes and Tuskaroroes at Albany the 15 June 1742.

Brethren

At our last interview I proposed an Union of you and all the Nations of Indians under his Majesties Protection so far as the River Mississippi you considered of my Proposal approved of it and united all those Nations of Indians with you in the Covenant Chain, telling me at the same time that I might depend upon your sincerity for that you never broake your word given in so Solemn a manner I did and do depend upon it being perswaded that you are too just to depart from your Engagements on any consideration; this Union I made known to all those Nations So soon as I found an opportunity they accepted of it with hearts full of joy knowing it to be best human means to preserve them from the unjust Hostilities of the French and you from being wasted and consumed in their Quarrells as a testimony of their acceding to that treaty of Union they have sent you to be delivered by me. These tokens desiring that the Covenant Chain into which you have taken them may be preserved inviolable and that Mutual love and friendship may continue between you and them so long as the Sun and Moon endure

Gave the Tokens

It is most certainly your interest thus to be United and made one body and it is equally your interest to be jealous of those people who may attempt to divide you they have [your] Destruction in view And thô they have used force against some and Cajoled others to assist them yet both those measures have been directed to the same end: You know but too well what an implacable hatred the French have long had to Some of those Nations of Indians now linked with you in the Covenant Chain nor are you Ignorant that many of your people have often assisted them in their unjust and Cruel attempts to destroy them Let the part you acted be buried in oblivion but let that of the common Enemy be ever Remembered that your Posterity may know who they are that have so eagerly sought the destruction of an innocent people and learn from thence that their security is only to be expected from a constant and firm adherence to this Union for ever let no time or circumstance disjoin you but live as people of one family descended from one common parent be watchful of each others Interest and give early intelligence of the enemies motions and use all possible endeavours to defeat their enterprises thus and only thus will you deserve your liberty and your Country and become formidable to a designing and rapacious enemy who you may be sure will use every Art to disunite you and then their utmost force to extirpate you

Gave a Belt of Wampum

We now meet to renew the Cevenant Chain which by the Union of all the Southern Nations is greatly enlarged and made much stronger Let it be our common care to preserve it inviolable and free from rust remembering that one drop of innocent blood unjustly spilt will carrode it and if not timely and carefully wiped off will eat it through and disolve this Union whereon only your Common Safety and happiness depends

Gave a Belt

It is with much concern I hear that most of the six Nations have of late years lived dispersed forgetting their Ancient Custom of dwelling together in Castles I cannot let slip this opportunity of exhorting you to return to your Primitive way of liveing together as your Ancestors did the Sennekes have promised to remove from Their present habitation and to build their Castles nearer to Cayouges and the Cayouges have promised to build a Castle and settle in a body and I expect their speedy and effectuall performance of those promises as it will greatly add to their strength and enlarge their reputation whereas a scattered people will soon become contemptible in the eyes of the world and the common interest and safety of the Community will give place to private Views

Gave a Belt

We have all along considered Oswego chiefly as it is commodious for your trade where at your own doors without the expence and fatigue of travelling, you are supplied at easier rates than in any other place with all such goods as you have occasion for nor have we added any thing to the strength of it trusting to you to protect it in case of need it being highly your interest so to do however least you should imagine that we are too careless of the preservation of an house of that importance to you I have ordered a wall to be built round it that if an enemy should at any time attempt to take it you may the better defend it as I expect you will, for if once you suffer them to become masters of it. They will sett what price they please both upon your goods and theirs and will by that means reduce you to the lowest condition of poverty and strip you of your liberty at which they have long aimed and wherein you have already unwillingly assisted them not only by engaging in their expeditions but likewise by permitting their emissaries to reside too often and too long in your Country this is and has been but too apparent to the most discerning among you and it is high time for all to think seriously of it and to put an end to that which will otherwise put an end to all that you hold dear, Pluck up a resolution therefor no longer to suffer your pretended friends but secret enemies to reside among you

Gave a Belt

The great King your father is now engaged in a war against the Spaniards provoked thereto by many Acts of injustice committed on his subjects not doubting but that the Lord of Hosts will own the Equity of his cause and enable him to punish his enemies and to obtain Reparation for the injuries done to his subjects

Gave a String of Wampum.

[New-York Papers, Gg., No. 75.]

PRESENT—The Hon^ble George Clarke Esq: Lieutenant Governor & Commander in Chief &^c
Philip Livingston
James De Lancey
Daniel Horsmanden
} Esq^s of the Council
The Com^rs of Indian affairs.

Answer made by the six Nations of Indians to the Hon^ble George Clarke Esq^r Lieut^t Governour and Commander in Chief of the Province of New York at Albany the 16 June 1742.

Brother.

We have now mett you in this place which is the place in which our fore fathers were wont to transact all affairs of peace and friendship We the six Nations have maturely considered of what you have said: You told us that two years ago you made a peace with us in behalf of the Southern Indians and that as soon as you came home you acquainted those Indians with what had passed between us and when those Indians heard it that they were rejoyced thereat and accepted of the peace you had made with us in their behalf and sent us these tokens in confirmation of the said Treaty and also to strengthen the Covenant Chain between us and them in confirmation of which treaty on our side we Give

A String of Wampum

There has lately been an Indian from the Southward of the Cherikee Nation In the Sennekes Country to speak with us in a friendly manner As all those will do who desire to live in peace and friendship with us That Indian who we now Call our Brother has cleared the way between us and them that there shall be no hinderance for the future from going and coming that way to transact publick affairs he told us that he would return in the Spring and that then we should treat more largely upon the affairs between us we call him our Brother and have made him a Sachim of the Six Nations

Brother

We desire of you that we may see the faces of a few of all the Nations you have named to us with whom we are now in alliance You spoke to us about the Silver Covenant Chain made between our forefathers that it is now much enlarged by this Union with the Southern Indians and that you on your part will always keep it free from rust and have now recovered it and made it as bright as the Sun for which we heartily thank our Brother We always remember the Covenant Chain entered into by our forefathers and will never forget it It is wrote down in our heads we think that nothing shall be wanting on our side but will always keep it from rust and do now renew the same and make it inviolable

Gave a Belt of Wampum.

You told us you thought it necessary to remind us how our forefathers used to live in Castles and that the Sennekes had promised to remove their Castle nearer Cayouge at which we are very glad and the Sennekes do now promise that they will certainly do it and the Cayouges also promise to perform their engagements. In confirmation of which the Six Nations give

This Belt of Wampum

Brother

You also spoke to us about the house at Oswego and told us that you had not yet strengthend it but that you had now thought fit to build a wall round it you also told us that some of our men had been with the French to war against Nations now in alliance with us and that we suffered the French to reside to long among us

Brother

We promise you that we will not suffer our warriours to go with the French for the future against any in alliance with us nor will we suffer the French to reside among us but we will do as you have desired us

Gave a Belt

You also told us that the Great King our Father is engaged in a war with Spain which we know and hope the God who is above will enable him to conquer his Enemies

Gave a String of Wampum.

A true copy Examined and compared

Pr Ph: Livingston
Sec: to the Indian Affairs.

N. B.

The Indian Nations particularly named by the Governour to the Six Nations are these The Cattawbas, Cherokees Creeks Chickesaws and Chacktaws.

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 249.]

To George Clarke Esqr

Sir.

Since our letter to you of the 3d of Augt last we have received one from you of the 24th of the same Month in which you acquaint us with the success of the Interview you had with the 6 Nations of Indians in June last in confirming the Union you made some time since betwixt them and the Indians to the Westward.

We take this first Opportunity of congratulating you upon this Event by which you have as far as lyes in Your power promoted the security of the British Dominions on the Continent of America against the Encroachments of the French.

The Colonies of Virginia & Georgia are to be commended for the zeal they have shown in forwarding this good work by the sums they so readily contributed upon this occasion & we heartily wish the other Governmts to the Westward would follow their Example, We for our Parts are so sensible of the service hereby done to the British Interest by these Colonies that we shall recommend to the others to promote the common cause in the same manner.

We cannot help mentioning our surprize at the Negligence shewn by the People of New York in suffering such mismanagement of the Mony raised for building a Wall round the trading

house at Oswego the preservation whereof is of the utmost consequence to the Colony. We hope therefore you will use your best Endeavours to remedy this evil before it is too late.

We have received the two Acts referred to in Your letter & shall in due time consider them both; But that for collecting of the Quit Rents & partitioning of lands being of very great consequence, We must examine the Papers in our office to see what Proceedings have formerly been had upon that Subject before we can come to any Determination concerning it. So we bid you heartily Farewell &c[a]

B. KEENE
ED. ASHE
JA. BRUDENELL
M. BLADEN.

Whitehall
Nov[r] 3[d] 174$\frac{2}{3}$

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Bundle, Gg., p. 80.]

New York Nov 29. 1742

My Lords,

I have the honour to receive your Lordships letter of the 3[d] of last August, and find myself under very great obligations to your Lordships for your favourable sentiments of the Account I did myself the honour to give you of my Government, and the Frontiers, the only part whereof for which I am under any apprehensions from a sudden attack of the Enemy in case of a French Warr is Oswego (and a place of vast Importance to the British Trade and Interest it is), for thô the money given for the fortifying of it has been laid out on it, yet I am informed the work is very injudiciously projected, and ill executed; for here is no Engineer, unless we call the Assembly men Engineers, and then we have too many for both purposes; for they both designed the works; and appointed the persons that did them; nor, now they are done, could I get them to provide for the victualling of an additional Garrison; however if the Assembly sits again before M[r] Clinton comes I will make another attempt both for that and powder.

I did myself the honour to give your Lordships my most humble thanks for your recommending the consideration of my Losses by the fire to His Grace the Duke of New Castle to be laid before His Majesty, and I still hope that my long services and great sufferings may find a moment's notice when his Grace has leisure for it.

The present I fear is not the time to settle Tierondequat, the people's apprehensions of a French war deterring them from the thoughts of it.

I am perswaded that the union I have made of all the Nations of Indians under his Majesties protection if it be duely attended by all the Governours, and the six Nations be kept steady in our interest, (which can only be by presents, especially as the French have for some time endeavoured to entice them from us by that means) is the only thing that can be done at present to secure our settlements, but I presume to think that the trade and interest of the Nation may be infinitely more advanced by our making ourselves masters of the Lake of Cadaraqui, or Oswego, wherein the French have now two sloops whereby they carry on a

prodigious furr trade with the nations of Indians living on all the other lakes that disembogue themselves into this, through which they have and can only have a communication with Messasippi; I am bold to say that I think the fate of the British Empire on this Continent depends upon it.

The Treasurer has not since I have had the Government given any account of the Revenue to me or the Council, he gives to the Assembly accounts of his receipts and issues which are mentioned in their journals; he is a creature of theirs, and I fear I shall want some positive order on him to enable me to get them from him, however I will send to him acquainting him with your Lordships commands to me to send them to you: I am pretty certain I have regularly sent your Lordships the minutes of Council, and beg you will be pleased to give Directions to look for them among the Acts of Assembly, and other papers that constantly went with them; as to the Journals of the Assembly I am not so positive, and the neglect whenever it has happened has been owing to the Printer, but I have ordered them to be collected that I may now send them to your Lordships as likewise the Naval Officers Accounts, which for the future he shall give me more duely, this paragraph of your Lordships letter gives me much concern, and wherein I am faulty I humbly ask pardon, I am very glad to find by the postscript to your Lordships letter that you have received the Acts of Assembly and Minutes of Council that I sent the 27th of last May.

The Acts of Assembly past this session are these which I do myself the honour to send your Lordships

1 An Act to continue an Act entitled an Act for and towards supporting the Government of this Colony by granting to His Majesty the duties therein mentioned &c.

2 An Act further to continue as well an Act entitled an Act to regulate the Militia of this Colony as the other Acts therein mentioned by which the same hath been continued: these Acts referring to others past before need no observation.

3 An Act to let to farm the Excise on strong Liquors retailed in this Colony for one year &c. An Act of this nature is annually past.

4 An Act for the more effectual fortifying the City of Albany:—This is a very necessary Act especially at this time.

5. An Act for paying out of the moneys appropriated for the support of this Government, the salaries services & contingencies therein mentioned until the first of September 1743. Acts of this nature have been for some time, past yearly, and I doubt will continue to be so done, at least till our neighbours do otherwise.

6. An Act for supporting the Garrison at Oswego and to regulate the furr trade in the County of Albany. This Act needs no observation.

7. An Act for the better clearing regulating and further laying out publick High Roads in the City and County of Albany. This is a very necessary Act, the reason why the city of Albany is mentioned in it is because the limits of the city are large, extending several miles.

8. An Act to encourage the destroying of Wolves and Panthers in the Counties of Ulster Dutches and Orange: the Inhabitants of these counties finding the former Acts insufficient, this Act is past hoping it will prove more effectual.

9. An Act to revive an Act intituled an Act to prevent the penning and folding of Sheep and Neat Cattle feeding on Hempstead Plains; The Act which this revives having by experience been found beneficial, is by this continued for a longer time.

I likewise do myself the honor to send your Lordships the Journals of the Assembly, for the time your Lordships acquaint me they are missing, With the Minutes of Councill from the last that I sent, and which your Lordships in the Postcript of your letter acknowledge the receipt of, to the thirtyeth of last month, as well as the Naturalization Roll to the End of last October Term, And the Naval Officer's Accompts.

If the Minutes of Council cannot be found by the Clercks, I will order them to be writt over again, there has not been Time to transcribe so as to send them now. I am very sure I sent them all, and they are so marked in the books at the respective Times they were sent, and I hope they will be found.

I humbly recommend myself to your Lordship's Protection and am with the highest respect and honor,

My Lords

Your Lordships most humble
and most obedient servant
GEO: CLARKE.

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9. p. 153.]

New York December 30th 1742.

My Lord.

On the first intelligence of the Spaniards having invaded Georgia, Captn Ellis Commander of His Majty's ship Gosport applyed to me to assist him in manning the ship that he might go to the assistance of that province, her complement being greatly decreased by desertion while she was repairing and cleaning. I gave him all the assistance I could, but that proving ineffectual, I put on board a detachmt of fifty men from the two companies in Garrison here. Upon his return from Virginia where he was obliged to put in before he reached Georgia, having sprung his mast, he found orders from Captn Warren Commander of His Majty's ship Launceston to follow him to the West-Indies immediately, but not having men enough to proceed, he desired me to let him have the detachment for that Cruise, urging the necessity of his going, and the prejudice it might be to the King's service if he should not go. As I have nothing so much at heart as His Majtys service, and knowing the winter to be a sufficient guard against the approach of an enemy, and he being to return early in the spring, I granted his request, but he informing me that the number of the detachment was lessened by sickness, the sick being sent on shore, I ordered Captn Riggs to sent other men from those comps in their room; Captn Marshall Captn of one of those companys, declared positively and publicly as Captn Lieutt Nicolls informed me, that none of his men should go, unless a Commission Officer of one of those companies went to Command them; this declaration I presume to think borders very closely on mutiny and if I had been in Town, I should have put him in arrest, but being then in the Country, where I have spent some part of this year for my health, he at length thought fit to put his men on board, in which circumstance I forbore to confine him, choosing rather to represent the Matter to your Grace. I could not well spare an Officer, there being on the spot

only two Lieut^ts that do duty as such, one of them Capt^n Rigg's and Capt^n Riggs being then going to England on His Maj^tys pleasure signified to me by S^r William Yonge, and the other the Adjutant, but there being a Lieut^t of Marines on Board the Gosport I thought he might very properly command the detachment, for I humbly suppose that if a detachment be made from several Corps, an officer, tho' of none of those corps may command them; after this I wrote to the adjutant to send me a list of the men put on board from each of those companys, and to acquaint me with what he knew of Capt^n Marshall's declaring that none of his men should go on board, whose answer thereto, I do myself the honour to inclose, whereby Your Grace may be pleased to see he again at first refused to obey my order, and then complyed, wherein the temper of the Gentleman will pretty plainly appear. I could give other instances of his behaviour as bad as these, and I fear he talks so much of his being a Capt^n of an independant company, that he has talked himself into a belief of his being altogether independant. Besides that I thought it highly for His Maj^tys service to put the detachments on board for this Cruise, especially as there are very few marines on board, it is not unprecedented, it was done in the last French warr, and has been done more than once — If I have transgressed I humbly hope by your Grace's protection to obtain His Maj^tys pardon, but I presume my transgression cannot excuse Capt^n Marshall unless he has a right to make what terms and conditions he pleases the measure of his obedience, I do myself the honor to write to S^r Will^m Yonge on this subject. —

I have laboured with all my skill and application not only to fix and retain the fidelity of the six nations, but to make an union of them and all the nations of Indians under his Maj^tys protection as a matter of the highest importance to all His Maj^tys dominions on this continent, wherein I have succeeded; but it will require some art and some expence to preserve it; the only prevailing means is that of feeding them with presents, which the French never fail to give them yearly, to intice them from us; and I fear they will at length prevail unless the other Colonies, whose interest it is, will contribute a sum sufficient for yearly presents. This province gives about a thousand pound every two years for that service, and if all the other Colonies to the Westward would give as much, they might be treated with and presented yearly, the only effectual way to retain their fidelity. I very much apprehend the fate of that important place Oswego on the first rupture with France, the loss whereof will very much shake the fidelity of the six nations, who seeing us unable to defend our possessions, will be I fear to apt to join with the Enemy — His Majesties regular troops in this province being four independant companyes are in the whole but about three hundred and sixty private men; two companyes are in this town, and two at the frontiers, where there are several garrisons viz: one at Schenectady of twenty men, one in the Mohawks country of twenty men, that at Oswego of twenty men (but of these last twenty there are ten from this garrison) the rest of those two companyes being posted at Albany from whence on the first rupture another fort about 40 miles from Albany must be garrisoned, so that when the invalids are taken from the number of men at Albany, there will be but few to march from thence to the assistance of any place that may be attacked, the invalids are numerous, none being taken into Chelsea hospital. Our Forts for want of an Engineer are ill design'd and ill built; on the contrary the French fortifications are regularly and strongly built, and as I am informed the regular forces much superior in number to ours. I thought it my duty to lay this before your Grace, humbly beseeching Your Grace to keep me in your protection, — I am with the most profound submission — My Lord — Your Grace's — most humble, most obedient and most dutiful servant.

(signed) G Clarke.

His Grace the Duke of Newcastle —

Lords of Trade to the Lords of the Treasury.

[New-York Entries M., p. 251.]

To the Right Hon^ble^ the Lords Commiss^rs^ of His Majesty's Treasury.

My Lords,

We have had under our consideration the Mem^l^ of Geo: Clinton Esq^r^ His Majesty's Gov^r^ of New York referred to us the 13^th^ Ins^t^ by your Lordships setting forth "that the Method used as most effectual to keep the Six Nations of Indians bordering upon New York steady to the British Interest has always been by making presents to them & that it has been usual for the Crown on the appointing a Governor of New York to make presents to these Six Nations consisting of Goods brought for that purpose amounting in value to £8 or 900." Whereupon We take leave to acquaint Your Lordships.

That in the Year 1739 the Right Hon^ble^ The Lords of the Committee of his Majesty's most Honourable Privy Council having referred to our consideration and Application from Geo. Clarke Esq^r^ Lieu^t^ Gov^r^ of New York to his Grace the Duke of Newcastle relating to presents to be made to the six Indian Nations We did report to their Lordships a state of this Matter together with our opinion what might be proper to be done thereupon for His Majesty's Service, a copy of which report we take leave to annex hereunto for Your Lordships Information.

We take leave further to acquaint Your Lordships that upon Enquiry made at the proper offices We do not find that any thing Was then done in this matter on which account it seems to us to be the more adviseable that M^r^ Clinton's Request should be complyed with at present. We are, My Lords,

Your Lordships most obedient
and most humble Servants
MONSON
M. BLADEN
R. PLUMER
B. KEENE.

Whitehall
April 28^th^ 1743

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Bundle, Gg., p. 83.]

New York June the 19^th^ 1743

My Lords,

I had on the 30^th^ of April the honour to receive your Lordships letter of the 3^d^ of November last which came by the way of Boston.

The wall inclosing the trading house at Oswego was too far built when I did my self the honour to write to your Lordships about it, the Director of the work was told early enough, by the Officer commanding there, that he was going wrong and against the Directions of the Act of Assembly but to no purpose; he pretended that there was not lime stone to be gotten,

and without giving himself much trouble to search went on his own way. Money comes too grudgingly from the Assembly and at unseasonable times to have a good effect, they never think of fortifying till they apprehend the danger to be nigh, if they would before hand consider what may be necessary in time of need, and lodge a sum of money in the Treasury sufficient for those purposes, they might hope, upon a proper address, that his Majesty would send an Engineer to project and direct the works, but I suppose they think either that, that would be attended with more Expence, or that their Friends whom they now employ would lose the opportunity of getting money, thus, either a mistaken parsimony or private views, have too great an influence on their Counsels, and those Members who judge better of the Importance of the Six Nations, are out numbered by the Country Members, who are altogether ignorant of it.

I have endeavoured all I could to get people to settle at Tierondequat, but in vain. The apprehension of a rupture with France deters them, and makes it absolutely necessary to secure that important place before the rupture happens, and till something more effectual be done to preserve all our Provinces from becoming a prey to the French. At present the Five Nations will be glad to see a garrison there, and ready to assist in opposing all attempts of the Enemy, but if the French possess themselves of it, as they may, and doubtless will, if we do not prevent them, all those Nations (except the Mohocks who are the fewest in number) must, and will submit to the French, an event of too great moment not to be guarded against; I propose therefore that a detachment of eighty men from the four Independant Companies in this province with a Captain and two Lieutenants be posted at Tierondequat, that a proper Fort be built there, and some small Field Pieces with Ammunition &c^{a} sent thither both for their own defence and for that of the harbour this will not only fix the Dependance of those Nations on us, but may be a means to preserve Oswego from falling into the Enemys hands, and this is the place proposed in the inclosed paper for building our Vessells, The French, I own, may notwithstanding by the Mastery which they have on the Lake, annoy the Southern Provinces, but they will not be able to entice the Youth of the Five Nations to join them in any of their Expeditions, as they now do, against the inclination of the Sachims, for this will be a Bridle in their Mouths. The Fort must be built and Artillery and Ammunition sent thither and the Garrison be victualled at the King's Expence (for it is in vain to think it will be done by the Province) until such time as provisions can be raised in the Senecas Country, which, as Farmers will instantly settle under the protection of the Garrison may, and I verily believe will be done in two or three years at most, the Land being exceeding good, Except only the article of Beef which will take a year or two more, in the mean time cattle may with as much ease be drove thither as they are now to Oswego.

I humbly beseech your Lordships to consider it, and if it receives your Lordships approbation that you will be pleased to recommend it to his Grace the Duke of Newcastle, If a more extensive scheme should at any time be resolved on, this that I now propose will greatly facilitate it; I do myself the honour to lay before his Grace the Duke of New Castle (a Copy whereof I here inclose) my thoughts on our present situation with respect to the French who surrounds us, how we may dispossess them of their Mastery on the Lake, cut off their communication between Canada and Messasippi, and preserve this and the Southern Provinces, and the Indian Nations depending on them from the Intrigues and Annoyance of our natural and artful Enemy.

Whether prompted by the French or how otherwise incited, some young Fellows, and those its said the most profligate of the Five Nations marched last winter into the borders of Virginia,

and committed some acts of hostility, for the particulars and a more clear Information whereof, I do my self the honour to send your Lordships copies of the letters and papers relating to it. I am endeavouring to make up this breach, which the French will not fail to widen all they can, it not being improbable that they projected it, hoping thereby to dissolve the union I made of all the Indian Nations, as they do by no means like it.

The following Acts being past the last Session I do myself the honour to send them to your Lordships.

1st An Act to enable the Mayor, Recorder & Aldermen of the City of Albany, and the Justices of the peace of the said city and county to raise a further sum of four hundred pounds to finish & compleat the Court House and Goal for the said City and County; This is a necessary Act for without it the work begun would remain unfinished and no criminals or debtors could be secured.

2d An Act to apply the Sum of Four Hundred pounds for providing and furnishing the garrison in New York with fire wood and candles from the 13th of June next to the 13th of June one thousand seven hundred and forty four, this was unprovided for in the support bill passed last Fall, and with no other view that I can imagine than to give the Assembly an opportunity of getting a little money by their sitting in the Spring for there was no other necessity for their sitting then

3d An Act for explaining and rendring more effectual an Act of the Governor Council & General Assembly intitled an Act to oblige the Inhabitants of each particular ward within the City of New York to make good their respective Quotas of all publick Taxes. The reason for this Act appears in the preamble.

I likewise do myself the honour to send your Lordships a printed copy of those Acts, and the Votes of Assembly of last Session, And the Minutes of Council from the 17th of May 1739, to the 10th of April 1742, being those which your Lordships acquainted me you could not find; As also the Treasurer's Accounts to the first of September 1740, being all I can get from him.

General Oglethorpe having wrote to me of the 22th of April, for some guns and shot, I have with the advice of the Council lent him fourteen twelve pounders, shot I had none to spare. I am with the highest respect and honor,

My Lords

Your Lordships most humble
and most obedient Servant
Geo Clarke

The Right Honoble The Lords of Trade

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Bundle, Gg., p. 84.]

State of the British Provinces with respect to the French who surround them

Tho' it has been my duty to consult in a more particular manner the welfare of the Province; which I have had the Honour to govern some years, yet I never took myself to be thereby discharged from carrying my thoughts to things of a more extensive nature, especially to such

whereon the peace and happiness of the Plantations, and the Trade of England, if not the very being of his Majesties Dominion on this Continent depend, I have often reflected on the progress that our natural Enemies the French have made in their settlements on the back of us, Chiefly since the peace of Utrecht, the vast increase of their Indian Trade, the interruption of ours by the power which their communication between Canada and Messasippi, (by means of the Lake Cadaraqui or Ontario) gives them over all the Indian Nations, living on that, and all the other Lakes, which disembogue into Cadaraqui, and from thence into the River of St. Lawrence, and by what means that communication may be cut off, and those Indian Nations brought to an absolute dependance on His Majesties Provinces, who will thereby be possesst of a very great additional Trade, and (which is principally to be considered) be for ever secured from the annoyance of the French, and may without danger or interruption, extend their settlements as far back as they please.

The French had lately three, and have now two sailing vessells, each of about 50 or 60 Tons, on the Lake Cadaraqui; On the North East end whereof, near the entrance into the River St. Lawrence, they have a small stone Fort called Frontenac, with a Garrison of about thirty or thirty five men, and on the Southwest end, near the fall of Niagra, another with the like garrison, a trading house under the cover of it, and are now building there one or two more trading houses. In those Vessells they carry the Soldiers Artillery, Ammunition and Provision to the Forts, and transport to and fro the goods they sell to and buy from the Indians; It is through this Lake they pass from Canada to Messasippi, and from thence back again to Canada: By means only of their Mastery on that Lake, it is that they have acquired, and still hold their power over all the Indian Nations, from Canada to Messasippi, except only the Indians who are next adjoining to our Provinces, and have all along been dependant on them, (of which the Five Nations or Cantons are the most considerable) and in all those they have of late gotten too great an influence, especially among the five Nations whose youth, being of a martial spirit, they intice (contrary to the Publick Engagements of those Nations) to join them in their Expeditions against the Indian Nations, subject to His Majesty, and depending on the Governments of Virginia, the two Carolina's and Georgia, who have it in their power (by their situation, if their strength were equal, as it would be, were they united and resolved) to interrupt the march of the French from Niagra to Messasippi; this the French know full well, and fearing that they may sometime or other confederate against them for that purpose, they seldom fail once a year, to attack one of those Nations while they are disjoined, thereby to extirpate, or bring them over to their Interest, and they have gone but too great a length towards it, none of those Nations daring now to give them any Interruption and thinking themselves happy when they are not annoyed by the French. We have a trading House and a Garrison of 20 men in it at Oswego, almost opposite to Fort Frontenac, which in our present situation will inevitably fall into the hands of the French, on the first opening of a War, and with it the Five Nations, the only Barrier against the French to all the Provinces from this to Georgia, for tho they now intice some of their youth to join them in their hostile marches, yet the Body of those Nations oppose it all they can, and live in a good intelligence with us professing to observe inviolably their original Allyance, (or Covenant Chain as they phrase it) which has subsisted ever since we first settled this Country, yet if Oswego be taken (as nothing can hinder it while the French are Masters of the Lake) the Five Nations will, and must of course, submit to our Enemy, who will oblige them to assist in all their Expeditions; In which Event every one of our Provinces may be so attacked, that the Planters will be

obliged for the security of their Persons to quit their settlements, retire into the Towns, wherever they are, or under the cover of Forts, of which we have very few on the whole Continent, or, what is worse, leave the Country to seek a living elsewhere, the consequences whereof to England are but too obvious, and this the Enemy will more easily do, as they have a line of Forts from Canada to Messasippi.

As a remedy for these Evils, which are almost as great as can befall the Nation, I propose that a Regiment of eight hundred men be sent from England (or if half the number of private men be sent, the other half I believe may be raised here) with an Engineer, Artillery, and Ammunition, and posted in the Sineca's Country on the Lake Cadaraqui, at a proper Harbour for building of Vessells, there being more than one of sufficient Depth of Water, That the Harbour be fortifyed and barracks erected for the men, That there be then built two or three Vessells of superior Force to those of the French, on board whereof a few sailors, and a sufficient number of soldiers being put with the proper officers, we may take, sink or otherwise destroy the French Vessells, and then easily take their Forts on the Lake, and for ever hinder them from building more on those shores, or any vessells on the Lake nor (if they should build any in the River of St. Lawrence) can they carry them against that rapid stream into the Lake. The Consequences whereof will be of the greatest moment, All our Colonies from this to Georgia will be secure from the incursions of the French in the time of War, The Indians depending on the Governments of Virginia, Carolina and Georgia, who are now almost every year attacked by the French, and their Indians will live unmolested: All the Indian Nations living on or near the Lakes, and all those over whom the French at present have a very great power, will no sooner hear of our Conquests, than they will submit to, and trade altogether with us, The Five Nations will no longer be divided by French Intrigues, but will be absolutely at our Devotion, and the Trade and Influence of our Enemy will be confined to the Cold Country of Canada, which will scarce be worth keeping, and to the Banks of the River Messasippi, Nay, no sooner will the Five Nations see us Masters on the Lake, than they will assist us to take the two Forts of Frontenac, and Niagara, for they are now complaisant to the French only through Fear, knowing them to be a treacherous and enterprising people. It was I presnme to think, a very great Oversight, to suffer the French to build those two Forts and I am perswaded if it had been strongly and rightly represented by the Governors of this and the other Provinces a stop would have been put to it, Those Forts being built on the Lands of the Five Nations (whose native and conquered countries encompass the Lake on the shore whereon they are built) who by the 15th Article of the Treaty of Utrecht are explicitely acknowledged to be subject to the dominion of Great Britain, I am sensible that by the same Article it is stipulated That both the English and French shall have a free Intercourse for Trade with all the Indians and the Indians with them, let them enjoy it (when we are Masters of the Lake) in the like manner that ours is now carried on, vizt By Canoes and small rowing Boats, but I am prety sure that when the French yoke is taken off their necks, the Indians will no longer trade with them, for the English Manufactures are much better, and they prefer them to French goods, but supposing that they should still trade with them, it will be in a much smaller proportion than they now do, and besides they cannot then march in any numbers to disturb our Provinces, or the Indians, now and of old depending on them, An Event of the highest importance, nor can Canada supply Messasippi, or Messasippi, Canada, with forces or merchandize in time of need: Before the French begun to build the Fort at Niagara, which is about twenty years ago, they cajoled some few of the young fellows of the Five Nations, to give them permission to build a

trading House there, but so soon as it reached the ears of the Sachims or Rulers of those Nations, they resented it, acquainted the Governor of this Province, that the French had begun to build, and offered to join any force he should send to demolish the works, and to drive the French from thence, but this was unhappily neglected; incouraged by their success there, they did, about twelve years ago, erect another fort, and much stronger (on the Lands likewise of the Five Nations) at a place called the Crown Point, about 160 miles from Albany, between that and Canada. In that part of the Country where the Senecas chiefly dwell, and where I propose our vessells should be built, and the Regiment quartered, the Climate is temperate, and the Lands exceeding fertile, so that in three years time from their going thither, provisions of all kinds (sufficient for the Regiment and Vessells) may be raised, Except only Beef, which will require a year or two more, in the mean time Cattle may be drove thither from the County of Albany, with as much ease as they now are to the Garrison at Oswego, and no sooner will the Regiment march towards it, than Farmers will go thither under their cover to settle in that Country, being sure both of protection, and of a market for what they raise. The Five Nations being acknowledged by the Treaty of Utrecht to be subject to the Dominion of Great Britain, and the Lake lying in their Country, it being surrounded by their Lands, I humbly submit it, whether we have not a Right, even before a Rupture to assume the Dominion thereof, and to destroy the Forts the French have built in the country of those Cantons, especially if we have their concurrence, of which and of their assistance too, I make no doubt, when they see the Regiment among them.

When we have thus vindicated our right and established our dominion on the Lake, the Regiment may then be employed in the reduction of the Fort at the Crown point, wherein, if there be need, we may I believe have assistance from the Provinces of Massachusets Bay, and New Hampshire, who have settlements not far from thence, and who claim the lands adjoining to it, and one of them even that whereon the fort is built.

If this or something else (of which I own I can think of nothing so effectual) be not soon done to put a stop to the French Encroachments farewell to the English Colonies and to that most valuable Trade of the Nation.

If ever it be thought adviseable to attempt again to take Canada, the dispossessing the French of their Mastery on the Lake and of the Fort at the Crown point, will greatly facilitate the Enterprize, but before we begin that work, I presume to think we ought to take Cape Breton, a Place well fortifyed, and from whence the French can annoy our Fishery at Newfoundland, and guard their own navigation to and from Canada, That place is such a Thorn in the sides of the New England people, that its very probable a large body of men may be raised there to assist in any such design, And if proper Officers are sent from England in the Summer to exercise them, they may by the ensuing spring be well disciplined, as all their Youth are expert in the use of fire arms, from the unrestrained liberty of Fowling, which obtains in all the Provinces, and I conceive the Spring is the most proper season to attack the place, before the Men of Warr and Fishing Vessells come from France, for in the Winter they have few men except the Garrisons, and Boston being a proper Port for our Fleet to harbour in the Winter, we may block up the Harbour of Breton before the ships from France can come upon the coast.

New York 1743

(Endorsed) Rec^{d} with M^{r} Clarke's Lett^{r} of the 19th June 1743.

Governor Gooch to Lieutenant-Governor Clarke.

[New-York Bundle. Gg., p. 85. No. 1.]

N° 1.

Dear Sir

You will find by the inclosed Copy of a letter I received the last week from our Frontiers, how barbarously our Inhabitants in a Settlement beyond the Mountains have been insulted and attackt by a Party of the Northern Indians. As the Murder committed in this cruel skirmish happened at the time, when, in the same disposition with the Government of Maryland, We intended to send Commissioners to treat with the six Nations in order to settle and to satisfie in an amicable manner, their demands, we are the most alarmed, especially, as you will see in the letter, there were white men among them, supposed to be French, who must be incited by other motives, than an equivalent for land, In such desperate circumstances, our People being daily exposed to the like cruel usage, it will appear a laudable Impatience in our Councils, not to wait for your annual meeting of the Sachims, and accordingly it has been agreed to desire the favour of your Interposition and good offices to discover for us, to what Nation that party belongs, that dared to treat His Majesties subjects in so insolent and outragious a manner. Not that we expect any other satisfaction from Savages bred up to delight in nothing so much as shedding of blood, than the giving of them speedy Information of our Resentment.

I am also desired to beg the favour of you to enquire of the Chiefs what part of this Government it is they dispute, and where the lands lay they pretend to claim, with the sum of money, they expect in exchange, and to procure their explicit answer. For we are very willing upon reasonable terms to purchase our safety and free ourselves for the future from the desperate attempts of men void of humanity.

What expence you are at for Messengers &c^{a} on this occasion will be thankfully repaid, and the sooner you send me an answer to these premisses, the greater obligation it will be to all the Gentlemen of the Council, but to no one more than

Dear Sir

Your most obed^{t} & very
humble serv^{t}

Jan 3^{d} 174$\frac{2}{3}$ WILL. GOOCH

Colonel Patton to Governor Gooch.

Augusta County 18 Dec. 1742.

Hon^{d} Sir

A parcel of Indians appeared in a hostlie manner among us killing and carrying off horses &c^{a} Capt. John Buchanan and Capt. John McDowell came up with them this day and sent a man with a signal of peace to them, which man they killed on the spot and fired on our men which was returned with bravery, in about forty five Minutes the Indians fled leaving eight or ten of their men dead on the spot, and eleven of our men are dead amongst which is Captain McDowell, we have sundry wounded, Last night I had account of the Indians behaviour, and imediatly traveled towards them with a party of men and came up within two or three hours

after the battle was over. I have summoned all the men in our County together in order to prevent them from doing any further damage, and (but by God's assistance) to repell them force by force, We hear of many Indians on our Frontiers. I beg your Honours Directions and Assistance both as to ammunition and men. The particulars of the battle and motions of the enemy, I have not now time to write you,

I am

Yr Honours mt obedt servt

James Patton

P. S.

There are some white men supposed to be French amongst the Indians. Our people are uneasy, but full of spirits and hope their behaviour will show it for the future, not being any way daunted by what has happened.

To the Honoble Willm Gooch Esqr &ca

Lieutenant-Governor Clarke to the Commissioners of Indian Affairs.

[New-York Bundles, Gg., p. 85. No. 2.]

No 2.

Flushing April the 5th 1743.

Gentlemen,

This minute I received a letter from the Governor of Virginia of the 3d of January, with one to him from Colle Patton of the 18th of December, on the unhappy skirmish between the Indians and some of the people of Virginia, copies whereof I send you, whereby you will perceive that the Indians were the aggressors, and that the Government of Virginia resent it warmly; By the Governor's letter I find there is something of a demand from the Indians (I suppose part of the six nations) for lands, which the Goverments of Virginia and Maryland intended to send Commissioners to treat with them about, in order to satisfy them. If that be the Indians pretence, they ought to have waited for an Answer from those Governments, if they made any demand, as I find they did on the Government of Maryland by their treaty with the Governour of Pensilvania last year, but the Government of Virginia is not mentioned by them in that Treaty, and yet the hostility committed by them is on the people of Virginia, how they will excuse it I cannot see, however I desire you will give the Interpreter Orders to go forthwith to them giving him instructions to expostulate with them on this their unwarrantable conduct, to know who those white men are who were with that party of Indians, and to know, from them, what part of Virginia it is they dispute, and where the Land lies that they pretend to, and what sum of money or goods they expect in Exchange, and to give me a full and plain and direct answer, which I will acquaint the Governour of Virginia with. You will direct the Interpreter to let them know that I am amazed at their barbarous and treacherous proceeding. That if they had any such demands on those Governments, or any grievance to complain of, they ought to have acquainted me with it, and I would have negotiated the matter, and have endeavoured to have made it up in an amicable manner, That I expect they will keep their people at home, and if they send me their demands for the Lands, that they wait

patiently for an answer, which considering the distance of their country to this place and from hence to Virginia will take up a considerable time to adjust the matter.

I am informed they took from Oswego the two Indians you sent to reside there, in order to bring you Intelligence of any extraordinary occurrences, this is a piece of conduct I am surprized at, and expect they will give me an account of.

You will be full and particular in your Instructions to the Interpreter, that their answer may be so too, I need not tell you of how much consequence it is that these things should be adjusted to mutual satisfaction, you will readily conceive it.

I am

Gentlemen &c^{a}

Commiss^{rs} for Indian Affairs. GEO CLARKE

Commissioners of Indian Affairs to Lieutenant-Governor Clarke.

[New-York Bundle, Gg., p. 85. No. 3.]

N^{o} 3.

Albany 20th March 174$\frac{2}{3}$

May it please your Honour

Since our last to your Honour of the 21st of February, We have not been honoured with any of your Favours, and have now only to inform your Honour that we have thought proper as you will perceive, by the inclosed minutes, to send the Interpreter to Onondage being informed by the Mohawks that a General Meeting of the Six Nations was to be held at Onondage, at the desire of some people from Philadelphia, We inclose your Honour the Orders we gave to the Interpreter & the answer he brings us back, to which we beg leave to refer, it seems the Indians are in General very uneasy about the affair at the back of Virginia, The people from the Senecas Country write us that one of their principal Sachims is sent to Ottowawe to desire those Indians not go a hunting, but to stay at home to take care of their Castles, Your Honour will perceive best by the Run of this whole affair, in what humour the Six Nations are at present, We have nothing in particular to add at present but remain

Your most humble servants

MYNDERT SCHUYLER
JNO. DE PEYSTER
JOHANNIS LANSING Jun^{r}
STEVANUS GROESBEECK
NICHOLAS BLEECKER
CORNELIUS CUYLER
RUTGER BLEECKER
HEND^{k} TEN EYCK
DIRCK TEN BROCK
RYER GERRITSE
ED. COLLINS

At a Meeting of the Commissioners of Indian Affairs at Albany 7 March 174$\frac{2}{3}$

PRESENT—	Capt. Rutherford	Peter Winne
	Cornelius Cuyler	Rutger Bleeker
	Myndert Schuyler	Nicholas Bleeker
	Hend^{k} Ten Eyck	John De Peyster

A Mohawk Indian came with seven hands of wampum to acquaint this Board that the Interpreter and two other men from Philadelphia were come to Onondage to speak with the six Nations. That the Mohawks therefore desire our Interpreter may be sent up with them to hear what shall pass at that meeting.

This Board resolved that the Interpreter go to Onondage, and that he observe the following Orders.

M^{r} Jacobus Bleeker

You are to go to Onondage, where we hear that some people from Philadelphia are arrived to treat with the Six Nations, and when you come there you are to inform yourself what those people shall propose to the Sachims of the Six Nations and what answer will be given them.

You are to tell the Sachims of the Six Nations at Onondage, that we are sorry that such a sorrowfull Accident has happened at the back of Virginia, between some English & a party of their people, that we have not yet got a certain account of that matter, & know nothing of it but by common report, that as soon as we shall know the certainty thereof we will acquaint them therewith, and that We hope it will not be the occasion of a breach in the Treaties between them, & any of his Majesties English Subjects, But that upon the whole, we desire that they will not be uneasy about it, nor take any resolution without the Advice and Consent [of] us their Brethren, Whereupon you are to give them this belt of Wampum.

At a Meeting of the Commissioners of Indian Affairs at Albany 20 March 174$\frac{2}{3}$

PRESENT—	Nicholas Bleeker	Hend^{k} Ten Eyck
	Cornelius Cuyler,	John Lansingh
	Myndert Schuyler	Rutger Bleeker
	Dirk Ten Brock	John De Peyster

The Interpreter being returned from Onondage brings the following Account.

That according to his Instructions he went up to Onondage, but that the people from Philadelphia had not been there, but had sent a message to Onondage to speak with the Six Nations, upon which account this meeting had been called, which was broak up before he came there, that as soon as came he called all the Sachims together, & according to his orders enquired from them what had been proposed to them by the Government of Pensilvania, & what answer they had made thereto, To which they Answer'd.

That the Pensilvania people had desired that the Traders of their Province might go & come & trade as usual unmolested of the six Nations! And

That the six Nations should come to Philadelphia to receive payment of some land, which the Proprietor has from them for which they are not yet paid.

That they desire that the affair with the Virginia people should not be any occasion of any breach in their Covenant Chain, for that they had no hand in it, And did not know from whence it proceeded, but that as soon as knew it, they would inform the six Nations.

And that they had given them the following answer. That they will treat their people kindly wherever they meet them, And that they will not in any wise molest them, And that they could not this year go to Philadelphia by reason of the misfortune to the Southward, but that the next year they would go. And that they will not be the occasion of a breach in the Covenant Chain but that they will do their part to preserve the same entire.

That then he the Interpreter communicated to the Sachims the Remainder of what he was ordered. To which they answered.

That they thanked their Brethren for what had been said, & do not doubt but their Brethren would use their endeavour to make up the breach, between them and the Virginia people, which they had concluded in their General Meeting to do, if the Virginia people are so inclined, that it shall not be wanting of their side, And that they will not make themselves uneasy about it, till farther news from Virginia, We expect our Brethren will inform us what the Governour of Virginia intends to do, as soon as they shall know it. And as to the Covenant Chain, they promise to keep it inviolable, & that no Intriegues of the Devil himself shall induce them to break it, Nor will they suffer any of their people to go a fighting nor even to go from home, on any account, but to stay at home to take care of their Castles and Families.

The Interpreter informs this Board that as the Indians tell the story of the Fight to the Southward, the English fired first upon them & that four Indians were killed, & that the other twenty six are all returned home, their party having consisted of 30, that eight English were killed, And two much wounded, they computed the English to have been about forty in all.

Commissioners of Indian Affairs to Lieutenant-Governor Clarke.

[New-York Bundle, Gg., p. 86. No. 4.]

N° 4.

Albany 18th Aprill 1743.

May it please your Honour.

We received your Honour's letter of the 5th Instant with copies of Coll. Gooch's & Coll. Patton's letters, concerning the Skirmish and Murder at the Back of Virginia. The demand your Honor mentions of some of the Nations to some lands in Virginia, is we conceive only imaginary, having never heard any such thing from them, And had any such thing been, they would doubtless have mentioned it since this affair happened, but nothing of that sort has ever been in the least hinted at by them, And should we now send the Interpreter to know from them what lands they claim in Virginia, according to Coll. Gooch's desire, We humbly conceive it would be furnishing them with a pretence & excuse they have never yet thought of. What Coll. Gooch mentions of white men that are supposed to have been with the Indians, we take that to be a mistake which has no doubt proceeded from some mongrel Indians that were in the party.

We wrote your Honour the 20th March and sent inclosed our Minutes containing the answer the Interpreter brought from Onondage. which we suppose your Honour had not received when your last to us was wrote, Your Honour will thereby perceive that the six Nations are inclined to reconcile the matter with the people of Virginia, We have therefore deferred sending the Interpreter to the Indians till we shall receive your Honour's farther orders, thinking that he would not get any other answer from them than we have already had, We conceive it would the best and cheapest way. That Coll. Gooch desire your Honour to reconcile the matter, and then your Honour, if you shall think proper, can order us to make it up in such a manner as your Honour shall think fit, Which will likewise be the less troublesome to your Honour. If this receives your Honors approbation. we humbly conceive it would be the most proper that we, as soon as we receive notice thereof, should send the Interpreter to the six Nations, to desire that one or two of their Sachims come down here about the time your Honour can have an answer from Coll. Gooch concerning this matter. Which we hope will be as soon as possible for if a French warr should in the mean time break out it would be more difficult to adjust this or any other difference We doubt not but Coll. Gooch will repay us the charges we must necessarily be at herein. We have several Accounts that the six Nations have sent to the farr Indians in covenant with them, to desire them to be at home and ready to assist them in case of need. The French also are continually using all arts and means to foment and widen differences of this sort, so that, should this matter not be made up in an amicable manner, But Hostilities renewed or continued, the consequences might be very terrible, however, we submit all with the greatest respect to your Honour. We have sent the Interpreter to the Mohawks, to send from thence an Indian to the Six Nations to desire the Sachims to stay at home, and to renew to them the repeated promises they have made to keep home their fighting men, and to inform them that the Interpreter will be at Onondage in about 20 days, in the mean time we hope to have your Honours further Orders which shall punctually be observed, We have nothing more at present, But that we are

May it please your Honour

Your very humble servants

Ph. Livingston
John Rutherford
Myndert Schuyler
Abraham Cuyler
Nicolaes Bleeker
Johannis Lansing Junr

Honoble George Clarke Esqr

Lieutenant-Governor Clarke to the Commissioners of Indian Affairs.

[New-York Bundle, Gg., p. 86. No. 5.]

No. 5.

New York, April the 27th 1743.

Gentlemen,

Yesterday I received your letter of the 18th Instant, and althô you are of opinion that the six Nations lay no claim to any lands in Virginia, and that the mentioning such a thing to them

may furnish them with a pretence, yet if you had sent the Inerpreter and instructed him to have demanded the cause of the march and hostilities committed by their young men, he would have collected from their answer whether they make any such claim or no, if they do not, he might then have expostulated with them on their killing the cattle and horses and afterwards killing the man whom Captn Buchannon and Captn McDowell sent to the Indians with a signal of peace and afterwards firing on the party and killing many of them, from whence it is evident that the Indians were the Aggressors. That this is a notorious breach of the Covenant Chain which includes all his Majesties Subjects of whatsoever Province they are, That if they pretend their men went to make warr or to molest any Indians to the Southward that that is an infraction of the Union made in 1740 and confirmed by the six Nations last year for which they ought to punish those Indians, that the Governments to the Southward, and their Indians depended on the faith of that union, resolving on their part to observe it inviolably and are much surprized that the six Nations should attempt in that treacherous manner to dissolve it, That, however, if the six Nations disclaim their knowledge and express their abhorrence of that action the Government of Virginia I hope will come to such a temper as may heal the breach, especially if the six Nations will for the future restrain their youth from such unwarrantable actions and excursions, upon this foot I would (and should have hopes of success) interpose my good offices to appease the just resentment of the Government of Virginia, and till this be done I know not what to write to Governour Gooch, it is therefore still necessary that you send the Interpreter so instructed to the six Nations that I may know what so say.

You will perceive that Coll. Gooch does but just hint at the Indians pretending to claim some lands in that country, but this is certain that the Indians did last year at Philadelphia complain that some people to the Westward of that Province did settle on some of their lands without making any purchase of them, Governour Thomas understood they meant the people of Maryland by his telling them he would write to the Governour of that Province about it, wherefore till that matter be cleared up the seeds of discontent will remain, and if I knew certainly where these lands lie I could then write to the Governors about them, you may perceive that the Government of Virginia is disposed if the Indians have any just claims to those lands to adjust that matter, but as for the Hostility they seem determined to do themselves justice, however I would fain make up all matters between them, to which end it is absolutely necessary that the Interpreter be sent that I may know more fully the Indians pretences, their sentiments of this insult and their future intentions, such treacherous hostilities are not to be suffered, and if this business be not made up, and the Indians do not for the future desist from the like, the consequences will be very bad, And you will instruct the Interpreter to represent things to the six nations in such a manner as may make them sensible that that hostility committed by them at a time when all the Governments and the Indian nations depending on them looked upon themselves and the six Nations as inviolably united in the Covenant Chain, was an Act of the highest treachery & breach of faith, I could not, nor can I hardly yet bring myself to believe that the Sachims were consenting or privy to that Excursion, if they were not, they ought openly & explicitly to disclaim it, to punish the offenders and by all means to prevent the like for the future, which in my opinion can only be done by forbidding the French to come into their country.

Upon the whole you will perceive that the Government of Virginia has a sharp resentment of the injury, and if the Indians do not (as undoubtedly they were the Aggressors) make attonement for it in a suitable manner, it may I fear produce very ill consequences, wherein

this and all the Provinces may be involved, Wherefore I would have you use your utmost Endeavours to effect it, and that speedily, the Governour of Virginia desiring an answer as soon as may be.

If the Interpreter finds they claim any lands in Virginia and Maryland he is to know what they are, where they lie and what they demand for them as in Governor Gooch's letter, he should likewise inform himself whether there were any white men in that party & who they are.

If the Indians upon conference with the Interpreter upon the matters mentioned, will depute some of their Sachims to treat with you about them at Albany I shall like it very well.

I am

Commissioners for Indian Affairs. Gentlemen &c.

Lieutenant-Governor Clarke to Governor Gooch.

[New-York Bundle. Gg., p. 87. No. 6.]

No. 6.

New York, May the 2d 1743.

Dear Sir,

On the 5th of the last month I had the honour to receive your letter of the 3d of January, which I would have acknowledged sooner, had I foreseen that it will take more time to get an Answer from the Sachims of the six Nations than I then apprehended; I have ordered the Interpreter to go to them with Instructions what to do in this unhappy business, and so soon as he returns I will acquaint you with the Negotiation, hoping that matters may be so managed as to heal the breach that is made in the Covenant Chain as its called, for it may be very fatal if an open rupture should ensue, and they be thereby driven to the necessity of throwing themselves into the arms and power of our natural Enemy the French, who only want the advantage of such an event to open an uninterrupted way to annoy all the Colonies and render the Settlements therein very precarious, if not to drive the Planters from thence into the shelter of towns or under the cover of forts, for its very evident that the six Nations are the present and only restraint they have. This Consideration I am perswaded will induce you rather to listen to overtures of Reconciliation than to the sanguine impulses of revenge, how just soever your resentment be, you may be assured I will do all that lies in my power to make the Sachims sensible of this treacherous hostility intreating you to wait a little longer for the Result, and to be assured that I am very sincerely

Dear Sir &c.

The Honourable Governor Gooch Geo. Clarke

Minute of the Proceedings of the Commissioners of Indian Affairs.

[New-York Bundle, Gg., p. 87. No. 7.]

At a Meeting of the Commissioners of Indian Affairs the 2d of May 1743 at the City of Albany.

PRESENT—	Myndert Schyler	Reyer Gerritse
	Rutger Bleeker	Abraham Cuyler
	John De Peyster	John Rutherford
	Cornelis Cuyler	John Lansingh.
	Dirck Ten Brook.	

This Board sent the Interpreter to Onondage with the following Message to the Sachims of the six Nations of Indians

Brethren

According to the promise the Commissrs of Indian Affairs made to the Sachims of the Mohawks who came to Albany in February last, in the name of the six Nations, with a Belt of Wampum, to speak with them concerning the unhappy affairs between some of His Majesties English Subjects and a party of your people at the back of Virginia, I am now sent to inform you that your Brother our Governour has received a letter from the Governor of Virginia with another from a Colonel who was but a few miles from the place where that affair happened and who doubtless was well informed thereof. He says that a party of Indians of the Six Nations appeared upon their frontiers in a hostile manner and killed and carried away horses &ca upon which the Inhabitants of that neighbourhood went with their arms for their own security to know from those Indians what might be the meaning or reason of their thus treating the English, with whom you had so lately entered into a more strict alliance than ever by the Treaty made at Albany with our Governour in 1740, And accordingly when they came up with them, on the 18th of December they sent a man with a signal of peace to them, who they killed upon the spott and then fired upon the other English without any manner of provocation, whereupon the people of Virginia, out of a principle of self preservation were obliged to return the fire, Now we have performed our promise in giving you a true and exact account of this affair.

Gave a Belt of Wampum

Brethren

The Commissioners of Indian affairs have further ordered me to tell you That they think you can't but be ashamed and confused when you hear that among those people who so lately and so solemnly took into the Covenant Chain all His Majesties subjects to the Southward, and unite yourselves with them so as to become one flesh and blood, there should yet be such false, treacherous base wretches as those are who have committed this horrid barbarous murder, And that they are confident this affair will be resented by you the Sachims, Who we doubt not but were ignorant of this matter, But that now you must certainly believe that all what those Indians have said about the English attacking them first is notoriously false, for that they killed the man who was sent to speak with them with a token of peace in his hand, And people who

will be guilty of such cruel actions, can not certainly be believed a word they say, for as cruel as they are, there is yet so much shame left as would make them blush to own it.

The Governour of Virginia has desired our Governor that he would demand of you the reasons of this Transaction and that he would let him know as soon as possible what your answer is, for that he is amazed at such treatment and does not know what to think of it, That he can't think of any reason that has been given you to use his people in such a manner especially since all the Governments to the Southward had so lately entered into a a more strict alliance with you than ever, by the Treaty of Union in 1740, Which they all have and always would have observed inviolable.

If you had any reason to be disgusted at the people of Virginia, you should have acquainted us therewith that we might in a peaceable manner have obtained satisfaction for you, and if you have any thing as yet to say against them, We desire you will let us know what it is.

It is your indispensable duty to express your abhorrence of this affair, and to keep your men for the future at home, which we also expect you will do. You know very well that your people broke the Covenant Chain in going to fight to the Southward whether they intended it against English or Indians, So that you ought to desire our Governour to intercede for you and to make up this breach with the Governor of Virginia, which we doubt not but he will do upon the intercession of our Governor.

Mr Bleecker

If you can hear from the Sachims that they claim any lands to the Southward, you are to enquire where they lie and what they demand for them in satisfaction. And also enquire whether any white people were among the party.

The Interpreter being returned from Onondage Reports to this Board that he had said to the Sachims there as he was ordered. And that they answered him as follows.

Brethren

We the Sachims of the Six Nations have now according to our Desire of you heard what has come to your Ears of the sorrowfull accident between some of our Brethren of Virginia and some of our people, You tell us that you are informed that our people were the aggressors, That our men came in a hostile manner and killed their Cattle and that our Men killed the man sent by our brethren with a Token of Peace in his hand, and that then the Virginia people were obliged to defend themselves. If these things are so, then we are certainly greatly to blame. But on the contrary our men say That they have been very hardly used by our Brethren of Virginia, who took some days time to get themselves ready to destroy us, which the event proves they would have done had it been in their power, and that only for killing a few cattle, which we do not deny to have done for our subsistance, And that all we did kill one Hog, one Calf and one Horse and we took away one Cask Syder, this is all the damage of which the Virginia people so much complain to have been done before the Engagement. When we passed thro' Pensylvania we were treated very kindly by the Inhabitants, but as soon as we entered into Virginia Government we observed a different behaviour from the first house to the last, And when we had passed them we were overtaken by this party who first fired upon us, so that most certainly we can't be the Occasion of this mischief.

The Governour of Virginia demands from us the reason of using his people thus ill, he having never given us any reason for such usage, We say that we have no reason to be disgusted at

him or his people or for using them ill, and if we had any pretensions upon him any way, we would have made it known to our Brother the Governor of New York, We have now told you all the mischief we have done, and how we have been used for killing a few cattle.

We the Sachims do acknowledge that our men ought not to have gone there, and do declare that we have used all our skill and authority that none should go a fighting and that those that went did go without our knowledge or consent which is all that we can say or do.

We are inclined to make up this breach in the Covenant Chain and are willing to come to Albany for that purpose whenever we shall have notice of the time that shall be most convenient. But we would be very glad that the Governor of Virginia was himself present, when we should have opportunity face to face to talk more fully of this matter & to reconcile more effectually.

Gave a Belt.

The Indians told the Interpreter that there were not any white people in the party, but that a young fellow who is half Indian & half Christian was with them who had blue eyes which was the occasion of the mistake.

Commissioners of Indian Affairs to Lieutenant-Governor Clarke.

[New-York Bundle, Gg., p. 88. No. 8.]

No. 8.

Albany 30, May 1743.

May it please your Honor

We have rec'd. your Honoures letter of the 27th of last month and have according to your Honor's orders sent the Interpreter up to Onondage with instructions conformable to your Honor's directions, which are here inclosed, and also the Answer which the Sachims of the Six Nations made thereto, your Honor will perceive thereby that the six Nations do not make any pretence on any lands in the Government of Virginia, But on the contrary declare that they had not any reason to abuse the people there, or to be any ways displeased with them. And that after using their utmost endeavours, it was not in their power to stop their people from going to fight to the Southward. But yet it seems by their Answer that they think the Virginia people used their men very ill in following them in a hostile manner only for killing a few cattle and in firing upon them thrice, as they say, before they returned it, they say farther that the Officer which is left alive knows what they say to be truth, and that he could not deny it in their presence. But upon the whole the Sachims are inclined to make up the breach and to come to Albany for that purpose at any time that shall be fixed upon. But desire earnestly that the Governor of Virginia may be present.

It is certainly of the greatest consequence to all the Northern colonies that this affair should some way or other be reconciled, and that in a very short time, which way to bring it about we do not know. But think it would be best that Collo. Gooch should either come himself or send a deputy here (which your Honour knows is the only place where our Indians will treat of publick affairs) in order to a reconciliation and at the same time we imagine that if a few of

those Southern Indians were brought along against whom our Indians have so long warred, that it would induce our Indians to have a stricter regard to the treaty of peace made with your Honour in their behalf in 1740, If this affair be not settled in a short time we are very apprehensive some barbarous and faithless Indians living scattering from their castles will again go and murder upon the frontiers of Virginia, which is not in our power to prevent, we have already had certain information that a party of seven such rascals living near Schaweno have lately been upon the march, but were stopped by a Castle of Cayouges, who lived that way, we have sent a message by two Indians who were here upon their own Business, to desire the Sachims about Shaweno to stop any party of Indians who may be so wicked as to go that way, which we believe they will very readily do.

What we have said we submit to your Honors wiser judgment and can say no more but express our earnest desire that this unhappy affair may be brought to speedy Issue by some means or ther, which if it be not done will prove the greatest evil to this land that it ever felt.

We are your Honors most humble
and most obed^{t} servants

MYNDERT SCHUYLER
JOHN DE PEYSTER
JOHANNIS LANSING jun^{r}
NICHOLAS BLEEKER
RUTGER BLEEKER
STEPHANUS GROESBEECK.

Hon^{ble} George Clarke Esq^{r}

Lieutenant-Governor Clarke to Governor Gooch.

[New-York Bundle, Gg., p. 88. No. 9.]

No. 9.

New York June the 16. 1743.

Sir

I have at length, for it has taken up a good deal of time, gotten an answer from the Six Nations, which I now send to you I will forbear to make many reflections on it, only this much will I venture to say, That as it is a matter of very great importance, I am persuaded you will not be hasty to take any steps that may lead to widen a breach that may involve all the Colonies in a warr, which in its consequences may plunge them into inextricable miseries, and procure to our natural enemy the French, what they are incessantly labouring to accomplish.

The Sachims you see (and I am well assured of it) endeavour all they can to restrain their youth from these Excursions, but it is next to impossible, the Nations are resolved on their part to preserve the union I made and will be sorry to see it violated by a sharp resentment of the injuries committed by a few of their licentious youth (and they forced to it by hunger) over whom by the nature of their government they have no coercive power; reason and persuasion being their only authority. Your people and they differ widely in an essential point. viz^{t} Who fired first, be that as it will, I hope some amicable end will be made of the business, & next to your treating with them in person, I realy think your sending some prudent person

with one or two of each Indian Nation depending on Virginia, Carolina & Geogia to Albany, there to treat with the Six Nations, will have a very happy effect not only in healing this breach, but for preventing the like for the future. We are not I presume to insist on punctilio's with such people we are to consider them as they are or may be usefull or prejudicial to us, and if you look upon them in that light, they will appear to be the best barrier, against Canada, to all the Provinces, Wherefore I think we ought to preserve their friendship by all the means we can, If we lose them and the French gain them what will become of all the Povinces is but too obvious to every one, especially to your penetraction, Wherefore I forbear to say [any] more and will conclude with assuring you that I am

Dear Sir &c.

Governor Gooch

Governor Oglethorpe to Lieutenant-Governor Clarke.

[Now-York Bundle, Gg., p. 89.]

Frederica in Georgia Aprill the 22^{d} 1743

Sir

I am to return you thanks for your Advices relating to the French and Indians intending to attack ours, to whom your notice got timely up. The Creeks (for the design was against them) are extremely thankful for the Intelligence, & have taken all measures for their defence, and, I believe, their march being discovered, will for some time stop their attempting any thing. The Creeks have defeated one of their small parties which were Choctaws, and some Howakeeas, They have also taken one pryber who has been some time attempting to set up a town of fugitives, they intercepted him going to the Spaniards and French, and took a great part of his papers upon him, and brought him and them to me. Our Enemies are labouring to stir up the Indians against us, maintaining correspondences, and Employing Emissaries on all hands, amongst the Ruffians, run away slaves &c^{a}—You have shewed great vigilance and activity in preventing their plotts, I wish others had followed your Example, but with grief I fear the want of that diligence in some people. All looks very black round us, and Our King and Country's Cause requires every Man's Heart and Hand.

The Spaniards had enlarged their Quarters to St. John's River, It was reported that they intended to attack us, I went down to meet them, God was pleased to prosper us so farr that the usual terror took them and they retired within the Walls of Augustine. I followed them up to that place and our Indians who were advanced before us, killed about 40 of the Enemy under the Cannon of the Town. One of the Spanish Soldiers just now taken confirms the advices, that they are making a great Armament at the Havannah, and as it is reported, designed against this place. We have received no Cannon yet from England, and are in great want both of guns and shot. As the storm will first fall upon this Province and Carolina, it is the Interest of all America to assist as far as they can. I can not take Guns from Charles Town, since they may probably want them much about the same time with us. If you could spare any iron shot, or any eighteen pound Cannon, if you would be so kind as to send such number as you could spare, it would in my opinion be greatly for His Majesty's service and perhaps be the saving of this Colony and the Troops here. I have ordered M^{r} Houstun to wait upon you

with this, and if you send us the Shot and Guns I have ordered him to defray all the charges for getting them hither. All here are resolved to defend the province to the utmost, and the Creek Indians are highly Zealous, notwithstanding the Artifice of the French. We shall have a formidable body of them as also assistance from the Chickesaws, Contaubas & some of the Cherokees, though the French have lately got an interest in several of them by their artifices.

I fear I am too tedious, but by the next opportunity shall write other particulars. Permit me to recommend myself to the continuance of your friendship and believe me to be,

Sir,

Your most obedient
humble Servant

The Hono^ble George Clarke Esq^r — James Oglethorpe

Affidavit of John Grigg

Province of
New York ss } This day personaly appeared before me George Clarke Esq^r His Majesties Lieutenant Governor and Commander in Chief of the Province of New York John Griggs of the City of New York Marriner, And made oath on the Holy Evangelists of Almighty God, and deposed as followeth, that is to say—

That he the Deponent on or about the twenty ninth Day of January 174½ together with four other persons belonging to Captain Charles Davison of the S^t Andrew Privateer, being on shore at Florida Keys, were taken by the Florida Indians, and some time in the next month (February) were carried to the Havannah, where this deponent remained a prisoner till the Sixth of March last, when he was thence relieved by a Flag of Truce sent from Providence, together with upwards of seventy other prisoners, who with him sailed from the Havannah on or about the sixth day of March. That during the Deponents stay at the Havannah the Spaniards were then building two Seventy Gun Ships, one of which was near finished when the Deponent came away, And that there were then at that post eleven sail of Spanish men of War and Sixty or Seventy Guns or thereabouts, Sir Mark Forrester, an Irishman by birth, being Commodore under the Spanish Admiral, that most of the ships were very old and leaky and unfit to go to sea, and all of them unrigged, and very weakly manned. That the Deponent had the liberty of walking about the Town for about four or five months before he came away from the Havannah, and was often in the ship yards and helped to work there, and on board their vessells, and had opportunity of seeing all the vessells there, that there were no Galleys building at the Havannah while he was there, and that the Spaniards then had but one belonging to the fort which was out on a cruise, and that there were no forty gun ships there, nor any men of war of less than sixty guns, except the Snow called the King's Snow.

And the Deponent further deposeth and say'd that during the time the Deponent was at the Havanah seven sail of Spanish Privateers sailed from thence to cruise on the English, That is to say a Snow of Eighteen Carriage and Eighteen Swivel Guns bound for Guinea, Two French Sloops which came from Martinico, there, for Commissions, both Bermuda built and large sloops, the one carrying twelve carriage guns and one hundred men, the other fourteen carriage guns and one hundred and ten men besides swivils. The aforesaid Snow called the Kings Snow (the same which some time since took Captain Phœnix of this place) carrying sixteen carriage guns and one hundred and twenty men, and a Scooner having Topsails and cross Jack Yards

aloft and carrying twelve carriage guns and one hundred men, And that these two last sailed in Company together. Two Sloops, the one a large New Sloop, Havannah built, having a white woman's head for her head, and top sail guards aloft, carrying twelve six pounders and one hundred men, tho more were intended to be taken on board but could not be got. The other a Bermuda built sloop lately belonging to Captn Whitney carrying fourteen carriage guns besides swivels and one hundred and twenty men, commanded by one Paunche or some such name, and is the same who was some time since taken by Captain Norton, and carried into Rhode Island, whence he got to the Havannah, And who is a person sayd to be well acquainted with these coasts, And that these two last sailed about a month before the Deponent.

And the Deponent further deposed and sayd that he was informed at the Havannah that the six last named vessels were intended to cruise on these coasts. The two French sloops being first to go to St. Augustine and thence of the Bar of South Carolina, and that the said Deponent in particular was informed thereof by one Michael Beesby, a Bristol man, of small stature and Brown complexion & pock fretten, And by one Spencer late of Connecticut, a tall spare man, a Taylor by trade, who were both on board the King's Snow, the first as a Voluntier and the last by compulsion.

And the said Deponent further deposed & say'd, That a ship lately called the James and Joseph, London built, with a sloop lately commanded by Captain Perdue of Philadelphia, were fitting out at the Havannah for a cruise, And that the former was to carry eighteen carriage guns between Decks and one hundred and forty men; And the said Deponent verily believes and was credibly informed that the above account of the number of the guns and men each vessel carryed as aforesaid, is a just & true account, and that while he was a prisoner at the Havannah the Spaniards by way of Bravado gave out that they would lay of this port or Colony, and would even come on shore here.

And this Deponent further deposed and sayed, That no man of war sailed for Europe from the Havannah while he was there, And that during that time he never heard any talk of their having any Design to attack Georgia, But that they were much afraid that the English would attack St. Augustine, And that he the Deponent had heard they were to send three or four hundred men for the defence of that place, if wanted. And that the Spaniards owned to him that they had lost five hundred men at Georgia, which place they sayed they should have taken, but that the Governor of St. Augustine was a coward, and did not know how to give orders.

And the said Deponent further deposed and sayed that he left about two hundred and forty English prisoners at the Havannah. A great part of whom sayed and declared that if they were not quickly relieved, they would take on, in the Spanish service, And that the Spaniards declared that if the Spanish prisioners were sent to Providence, they would exchange Englishmen for them, and desired that notice might be given thereof.

And lastly that the King's Snow & Scooner sailed about six or seven months before the Deponent left that place, and had sent in a brigantine belonging to Boston commanded by one McTagget, but that they had not been heard of since. And that the common Cruising Grounds of the Spaniards is in the West Indies in the Winter, & the northern parts in the summer.

JOHN GRIGG

Sworn this 24 May 1743.

GEO. CLARKE

Lieutenant-Governor Clarke to the Duke of Newcastle.

[New-York Papers, (S. P. O.) No. 9, p. 161.]

New York June 19th 1743.

My Lord.

I do myself the honor to lay before your Grace the present State of His Majtys provinces with respect to the French who surround them, wherein I have presumed to hint at a method to preserve them from becoming a pray to our natural Enemy — In the mean time I propose in my letter to the Lords of Trade, the copy whereof I do myself the honor to send to your Grace, that an important place called Tierondequat on the lake Cadaraqui, be garrisoned by a detachment of twenty men a compy from the four independant companyes posted in this province, desiring their Lordps if they approve of it to recommend it to your Grace. The French have for some years been attempting to get leave from the Five nations to build there a Trading house or a Hutt, or any thing (that might give them a pretence to keep us from thence). but I have had the good fortune to defeat them in that design, and to obtain a gift of that place for the Crown, where there is an excellent harbour for building the vessells, proposed in the inclosed paper —

General Oglethorpe expecting another attack from the Spaniards and being destitute of Artillery and shot, wrote to me for some, I have with the advice of the Councill lent him 14.— 12 pdrs with carriages, but the carriages being old and no wheels to them, the Commissary whom the General sent would take only the guns; shot we have not enough for our own guns, so that I could spare none.

That I may not trespass longer on your Graces patience I beg leave to referr to the inclosed papers and letter to the Lords of Trade and most humbly to crave Your Graces protection, being with the most profound submission

My Lord

Your Graces

most humble, most obedient and
most dutiful servant

His Grace the Duke of Newcastle.

(signed). G. Clarke

Lords of Trade to Lieutenant-Governor Clarke.

[New-York Entries, M., p. 257.]

To George Clarke Esqr

Sir.

Since our letter to you of the 3d of November 1742 a Duplicate whereof has likewise been sent We have read one from You of the 29th November 1742 together with the papers therein referred to. Governor Clinton who is upon the point of setting out for his Governmt will bring

with him his Majesty's presents to the Indians: We contributed thereto as far as was in our power, by representing in favour of them.

We are sorry to hear the Trading House at Oswego is in so bad a condition as to its Fortifications and Garrison; But we hope the New Gov^{r} with whom we have had some Discourse upon this Subject will do his best towards inducing the Assembly to provide for its security and prevent its falling into the hands of the French in case of a Rupture betwixt us and them.

We doubt not but you will take the same good care of the Government as you have hitherto done, 'till the arrival of M^{r} Clinton.

We have transmitted to his Grace the Duke of Newcastle for his Majesty's Information an Extract of Your letter as far as relates to Oswego and the Furr Trade carried on by the French by the lake of Cadaraqui.

So we bid You heartily farewell, and are
Your very loving friends
& humble Servants
MONSON
M. BLADEN
R. PLUMER
B. KEENE.

Whitehall
July 27th 1743

P. S. We have not reced the Minutes of Council in New York between y^{e} 14th of April 1739 & the 29th of Sept^{br} 1740, and the Naval Officers Accounts from Lady Day 1739 to Lady Day 1740 are wanting. We desire therefore you will send us both by the first opportunity.

MONSON.

Points in support of Governor Clinton's Application for certain Allowances.

[New-York Papers. (S. P. O.) No. 9, p. 178.]

Short heads to show the reasonableness of Governor Clinton's application for an allowance by way of equipage money. 1743.

1st Upon the apointment of Governors the Crown have frequently made an allowance by way of equipage money in order to assist 'em towards defraying the very considerable expence, the equipping and fitting them out for their own Govern^{ts} must necessarily occasion and this without any other reason;

Whereas in Governor Clinton's case there are many strong reason's, to be offered in support of this application, For:

2nd The Govern^{t} of New York will not be near so valuable to Gov^{r} Clinton as it has been to his predecessors—The Province of New Jersey having always till now been united with New York, and under the same Government, and the salary paid by New Jersey has always been

£1000 besides other considerable advantages, so that the making New Jersey a separate and distinct Govern[t] makes New York at least £1000 a year less in value to Gov[r] Clinton than it was to his predecessors.

3[rd] Former Governors had the advantage of one of the four companyes, besides the paying all the four Company's, which were together at least £2000 per annum, but which from the present method of paying those Company's Governor Clinton will be totally deprived of.

4[rth] Former Governours have always had a mojety of their salary's from the date of their Commission to the time of their arrival in New York, but which from the different method the Assembly's of New York have lately fallen into in raising and paying this salary, Governor Clinton will have no advantage of, but from the time he shall actually arrive at New York, and get an act passed for that purpose.

5[th] Former Governors have likewise had considerable advantages from granting lands — But Governor Clinton can expect no benefit of this kind, there being now no vacant lands remaining to grant.

This Therefore hoped it will be thought reasonable to make Governor Clinton an allowance, by way of equipage money, towards assisting him, in defraying the expences of fitting himself out for his Government.—

Governor Clinton to the Lords of Trade.

[New-York Bundle. Gg., p. 93.]

My Lords,

I have the honour to acquaint your Lordships that I arrived here safe the 20[th] September and have gone through the several formalities requisite for a Governour upon the occasion.

I have dissolved the Assembly by advice of my Council, which I find gives a general satisfaction to the people, and I take the liberty to inclose the Speech I made to the Assembly for that purpose, which I hope will meet with your Lordships approbation

As I have but just an opportunity of writing by a Ship ready to sail for England, I cannot now take it upon me to give your Lordships any farther account relative to my Government, and I am with very great respect

My Lords

Your Lordships most humble

New York & most obedient Servant

2[d] October 1743 G. Clinton

The R[t] Hon[ble] the Lords of Trade & Plantations.

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 182.]

My Lord.

I desire Your Grace will permit me to acquaint you of my arrival here, and I have the honor to assure Your Grace I was well received at my landing and with great marks of favour. I have given a generall satisfaction to the whole province in dissolving the Assembly and calling a new one. I have likewise declared my intention of continuing every person in his place without exceptions, which was received very well by all partyes.

I keep exceeding well with M^{r} Clark and show him all the favours I can, and consult him in affairs, but must be very cautious not to listen to fain to him, affraid he should lead me, into the same snares he did my predecessor, especially as he is to succeed me in my Government and I am determined to act with all the caution I can to prevent any complaints coming home to your Grace against me, at the same time I beg and hope to have your Grace's protection and support, in all that is right and just as Governour of this Province.

I ask pardon for taking up so much of Your Graces time—I am with the greatest respect

My Lord

Your Grace's most obleiged

and most obedient humble servant

New York 2nd Octobre 1743. (signed). G Clinton.

His Grace Duke of Newcastle.

Governor Clinton to the Lords of Trade.

[New-York Bundle, Gg., p. 94.]

My Lords

I had the honour to write to your Lordships 2^{d} of Oct^{r} last and therein inclosed the Speech I made to the Assembly to dissolve them by advice of my Council, and I take the liberty to send to your Lordships a Duplicate thereof, as also the Speech I made to a New Assembly upon their meeting, and I hope the several matters recommended therein will have your Lordships Approbation.

When I was appointed Governour of this Province your Lordships were pleased to deferr the naming to His Majesty some vacancies in the Council until I arrived at my Government, that I might nominate such as I thought proper for His Majesty's service.

There are four vacancies in the Council by the death of M^{r} Vanhorn named in my Instructions and L^{t} Gov^{r} Clarke refusing to take the Oaths, upon which I take the liberty to name to your Lordships the four following Gentlemen to be Members thereof viz^{t} Peter Warren, Joseph Murry, John Moor, and Jeremiah Renselaer[1] Esq^{rs} all of great loyalty & probity and of

[1] See note, *post* IX., 1039. — Ed.

considerable fortunes in this Province where they reside, and I hope therefrom that His Majesty will please to appoint them.

Having receiv'd a Dispatch from Andrew Stone Esq^{r} Secretary to the Lords Justices, commanding me to employ the most effectual means for putting this Colony in the best posture of defence against any sudden attempt that might be made upon them in case of a rupture with France, I herewith inclose to your Lordships my letter thereupon (drawn up in Council) to the Commissioners appointed for Indian Affairs, and their Answer thereto together with my letter to the Col. of Militia at Albany, which is all I coud do upon the occasion for the present. I am with very great respect

My Lords

Your Lordships most humble
and obedient servant
G. Clinton.

New York
18 Nov^{r} 1743

The R^{t} Hon^{ble} the Lords of Trade & Plantations.

Governor Clinton to the Commissioners of Indian Affairs.

[New-York Bundle, Gg., p. 94.]

New York 19th Oct^{r} 1743.

Gentlemen,

Having received a dispatch from Andrew Stone Esq^{r} Secr^{y} to the Lords Justices signifying to me that their Excell^{ys} having taken into consideracôn y^{e} p^{r}sent uncertain state of Publick Affairs & y^{e} danger that His Majesty's Dominions in America may be exposed to from any suddain attempt that might be made upon them in case a rupture with France should ensue unless timely care be taken to put the same into a proper posture of defence; Their Excêllys have therefore commanded me to Imploy the most effectual means for putting this Colony in the best posture of Defence that shall be possible and be constantly on the guard against any surprize from any Quarter. And I having in pursuance of their Lôrdspps Cômands taken into consideration y^{e} great probability of a speedy rupture with France and having advised with His Majesty's Councill concerning the necessary steps to be taken to put our frontiers in your County in the best posture of defence the present season of the year will admitt of, and it being thought highly necessary for His Majesty's service and the security of this Province, that the Garrison at Oswego be reinforced with a Corporal and nine private men and a sufficient quantity of powder and ball with the utmost expedition, I have therefore sent orders to the commanding Officer at Albany to detach and send them forthwith to that Garrison if it be practicable. But as it is necessary that a supply of provisions should be sent with them I must desire you Gent^{m} to use your utmost endeavours to get some person or persons to contract for the carrying up the said men and Ammunition to Oswego. And to supply those men with a sufficient quantity of provisions for their subsistence in going up and untill the next Spring; And you are desired to take care that proper Battoes be provided for carrying them up and a good steersman for each battoe; And it being also thought highly necessary that at the least four

Indians be imployed as Scouts at Oswego to discover the Motions of the French, You are likewise to send up what strouds, blanketts & cottons you shall think necessary to be given y^m^ from time to time as a Reward for their services, And some man who well understands the Indian language is also to be sent by you to Oswego if there be none already there, who is to reside there untill the next Spring as Interpreter whom you are to direct and instruct to procure those Indians & to take care that they be active men and such as may be relied on, And with the detachment âfsd you are to take care that a sufficient quantity of provisions especially bread be likewise sent up for the subsistance of the Indians and Interpreter.

And His Majestyes Service requiring that you as well as the Commanding Officer of the Militia at the furthermost settlement of the Mowhawks Countrey should have timely notice of the motions of the French, you are also to imploy some able and proper Indians as Scouts to observe them and to give you and him immediate notice of what they shall observe to be doing among the French or by them or their emissarys, that the said Commanding Officer may be the better able to execute such orders as he shall receive from me, And you enabled to give me notice of what shall be transacted. And the expences that may arise by virtue of the several things aforesaid as they are evidently for His Mat^ies^ service & y^e^ immediate security of y^e^ Province, I make no doubt but y^e^ Assembly will fully provide for the paym^t^ of. And you may be perfectly assured I shall recommend it strongly to them at their first sitting.

Thus you see that I have done all in my power at present for the defence and security of the Frontiers and particularly of that important place Oswego. It is your part now to see that these my directions have their intended effect, And that you use your utmost Endeavours to preserve the Five Nations steady to His Majesty, And I shall meet them as early as possible next year, of which you shall have timely notice

G. Clinton

Commissioners for Indian Affairs.

Commissioners of Indian Affairs to Governor Clinton.

[New-York Bundle, Gg., p. 94.]

Albany 29^th^ October 1743.

May it please your Excy

Since our last of 24 inst we receiv'd your Excy's favour of 19^th^ inst whereby your Excy is pleased to inform that you rêcd a Dispatch from the Lords Justices commanding your Excy to put this Colony in the best posture of Defence that shall be possible, and that in order thereto your Excy had thought proper to reinforce the Garrison at Oswego with a Corporal and nine men and a sufficient quantity of powder and ball if it shou'd be practicable. And also that four Indians shou'd be sent up w^th^ an Interpreter to reside there till the Spring all which we likewise judge to be necessary.

Your Excy desires us to contract with some person or persons to advance w^t^ shall be necessary for provisions, batto's, steersmen &c^a^ upon credit of the Colony, which we have endeavour'd to do, but no person here will undertake to advance that sum, which wou'd

amount to near £300 at this season of the year without knowing when to gett it repaid, severall persons having done the like before and were oblig'd to stay above two years for their mony. The Assembly refusing to pay it out of any other fund but the Oswego Dutys, which are not able to pay more than a single garrison as we are informed.

We cou'd not gett Steersmen for the batto's under £7.—; each, and then they woud not go unless two were in a batto, and at least four batto's wou'd have been wanted, And as the season of the year is so far advanced, that it is very uncertain whether they coud have gott to Oswego by reason of the Ice, we are humbly of opinion that it is better they shou'd stay than go, and run the hazard of loosing all the provisions and then turning back. We have according to your Excy's orders hired an Interpreter one M^r^ Abr^m^ Wendell as Interpreter, who we think to be a fit person to go up to Oswego in a batto with two Mohawk Indians, and have ordered him to procure six or eight men more of the other five Nations to serve as Scouts, We have also contracted for provisions for them which M^r^ Wendell is to carry up in his batto, he goes in, Cap^t^ Helling will send by him a Barrel of Powder & some flints.

We hope your Excy will approve of our conduct, having done every thing for the best, and the Commanding Officer likewise judging it impracticable for the men to go up with provisions at this season of the year.

Your Excy may depend, we will do our utmost endeavours to preserve the Six Nations steady to His Majesty's Interest, But as we cannot do what we think necessary in ord^r^ thereto, not having allowance sufficient from the Governm^t^ to make the Indians the presents necessary to keep them firm & hearty in our Interest, in expectations of your Excys further Commands, We are,

Your Excy's
most obed^t^ Humble Servants
MYNDERE SCHUYLER
CORNELIUS CUYLER
DIRK VON BROUK
JN^o^ DE PEYSTER
R. GERRITSI
NICOLAES BLEECKER
JOHANNIS LANSING Jun^r^
W^m^ HELLING.

Lieutenant-Governor Clarke to the Lords of Trade.

[New-York Bundle, Gg., p. 96.]

New York December the 12^th^ 1743.

My Lords,

I have the honour to receive your Lordships letter of the 7^th^ of July last, when I delivered over the Government to Governour Clinton, he found the Province in at least as much tranquility, and in a more flourishing condition than ever it knew, and I make no doubt but he will add to their Felicity; He informed me that my name stands in the Instructions in the List of

Councillors, and asked me to be sworn as such, I beg'd him to excuse me on the score of my Infirmities, he complimented me by saying he should be glad of my advice, I assured him I would never fail to give it him to the best of my ability, whenever he would do me the honour to talk to me of business, I presume as the vacancies in the Council are not filled up my name was left in of course with the others, or that His Excellency might know my inclinations before he recommended new Councillors, for I did not suppose it was imagined that I could act in that capacity after I had had the honor for so many years to govern the Province in an higher character; besides, my private affairs require my presence in England.

I have discoursed the Governour at large on the importance it is to this and all the other Provinces to preserve Oswego, and the fidelity of the Five Nations; the French understand it, and use every art to weaken and seduce them, wherein they apparently succeed but too well. In the year 1740, I made an union of these nations, and all the other Indian Nations in allyance with the other Provinces, which was corroborated at my last Interview with the former in 1742, I perceive by the Governor's Speech, he proposes to unite all the Indians in allyance with the other Governments; in truth its wanted for they are often in warr with each other, but how he will effect it I am at a loss to understand, unless it be with the participation of the Governors of the other Provinces, but perhaps that was concerted before he left England.

I humbly thank your Lordships for the favourable opinion you have been pleased to entertain of my conduct during the course of my administration, it was the main support of my spirits in the time of the difficulties I had to strugle with, and I shall ever remember it with the utmost gratitude.

The Minutes of Council which your Lordships told me were wanting, I sent by Capt^{n} Bryant the 19th of last June, by whom likewise I now do myself the honour to send to your Lordships the Naval Officers Accompts (mentioned in the Postscript to your Letter) from the 25th of March 1739 to the 25th of March 1740. As also the Minutes of Council from the 27th of April 1743, to the 21st of June following, from which time to Governor Clinton's arrival there was no Council held, some of the Council being in Connecticut executing the Commission for hearing and determining the controversy between that Colony and the Mohegan Indians, there were not a number in town to do business. The proceedings of the Council the last Session of Assembly, viz^{t} from the 19th to the 30th of April last, with the adjournments from thence to the 27th of September, And the roll of persons naturalized from Decem^{r} 1742 to Decem^{r} 1743. I beg leave to recommend myself to your Lordships protection, and am with the highest Respect and Honour,

My Lords

Your Lordships most humble
and most obedient servant
GEO CLARKE.

The Right Hono^{ble} the Lords of Trade

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 194.]

My Lord.

I take the liberty to acquaint your Grace that Lieut^{t} Govern^{r} Clark has told me he proposes going from hence in the spring with his family, and has strongly pressed me to trouble Your Grace in behalf of his son Hyde Clark who is a Lieut^{t} in my company here that you would be pleased to give consent to his being removed from hence into General Oglethorps Regim^{t} to which the Lieut^{t} Govern^{r} has wrott to the General, whereby he hopes with the interest of his Friends he may rise in the service, I shall be highly obliged to your Grace for your concurrance and interest therein, for this reason, that if Lieut^{t} Clark is removed there will be a vacancy, and as all my predecessors upon the occasion has claimed the nomination of a successor, as an emolument of this Govern^{t}, so I hope it will be considered by Your Grace to speak to S^{r} Will^{m} Young that I should be indulged with the like privilidge, since so great a part of my income is curtailed by an appointment of a Governor of the Jersey, and several large perquisites take off, which before was always an appendix to this Govern^{t} and without Your Grace will stand my friend for me to name the vacancy's here, I shall loose these little douceurs, which even the Lieut^{t} Gov^{r} has found the advantage off.—

I have too great a sence of the many Civilities received from Your Grace to desist from expressing it and am always, ready to repeat my thanks for your favours to me and to assure Your Grace that in all places and stations I continue with the highest respect

My Lord

Your Grace's most obliged and
most obedient humble servant
(signed). G. Clinton.

New York 26th Jan^{ry} 174$\frac{3}{4}$

His Grace the Duke of Newcastle.

Lords of Trade to Governor Clinton.

[New-York Entries, M. p. 218.]

To George Clinton Esq^{r}

Sir.

We have received Your letters of the 2^{d} October 18th November and 9th of December 1743 together with the several papers therein contained.

In the first of these You acquaint us that you are safely arrived at New York and have taken upon you the Administration, of the Governm^{t} after having gone thrô the several Forms requisite for that purpose.

We take this first opportunity of congratulating you upon both these occasions, not doubting but Your conduct will be such as will fully answer the confidence his Majesty has been

graciously pleased to repose in You, & the just Expectations of those over whom he has appointed you Governor.

We have perused Your Letter to the Commrs of Indian affairs (a copy of which you send us in yours of the 18th of Novbr) & think you have done well in recommending so earnestly to them to provide for the defence & security of the Frontiers & particularly of Oswego & to cultivate the Friendship of the five Nations so necessary for His Majesty's Interest.

We have recommended to His Majesty three of the four gentlemen mentioned in the same letter as persons every way qualified to supply the Vacancies in the Council vizt Peter Warren, Joseph Murry & John Moor Esqrs but have thought it more advisable to suspend our Recommendation of the fourth, 'till we see whether the Lieut Govr continues in his resolution of not acting. So we bid you heartily farewell, and are,

Your very loving friends
& humble Servants
Monson
M. Bladen
R. Plumer
Ja. Brudenell
B. Keene.

Whitehall
Janry 27th 174$\frac{3}{4}$

Governor Clinton to the Lords of Trade.

[New-York Bundle, Gg., p. 99.]

My Lords,

I did myself the honour to write to your Lordships the 14th May last, acknowledging your favour to me of 27th January a duplicate of which I have inclosed, and therein gave you my reasons for recommending Mr Rensalaer to be one of the Council in the room of Mr Clarke which I hope are weighty enough to have him appointed.

I have inclosed to your Lordships my speech to the Assembly upon their meeting, with the Council & their Address, as also the Grand Jurys, and you may observe, I have not failed of recommending to their deliberations, the immediate necessity there was to provide amply for the safety of this Province, at so critical a conjuncture.

Your Lordships may also observe by the inclosed messages I have sent to them, that upon the intimations I have receiv'd of war being in all appearance declared by France against His Majesty, I thought they had not fully answer'd my expectations in raising sufficient supplys to repair our Fortifications, and pointed out to them in my first message, such things as I thought were highly necessary upon the occasion, which your Lordships will see they have only considered in part, upon which I immediately dispatched a double Garrison of His Majesty's Troops to Oswego, and afterwards sent them another message to which they return'd me no answer as appears by the inclosed Extract of their Minutes.

I have taken every other precaution in my power to guard against any surprize by sending circular orders to the respective Colonels of Militia, and to the Captains of His Majesty's Companys posted in this Province to inspect the Arms and Accoutrements of their men, and

see that they are in good order and fit for immediate service, and that as often as conveniently may be they do exercise the men in arms keeping strict discipline, whereby they may be able not only to repel the French Forces, if this Province shou'd be attack'd by them, but to be also in a condition, if necessary, to attack them, pursuant to M^{r} Stone's letter to me of 3^{d} Sep^{r} last, by order of their Excellency's the Lords Justices, for which end I have issued the inclosed Proclamations to forbid the Exportation of Gun powder, or the supplying the French with any kind of provisions, warlike stores, or merchandizes.

I have also sent Circular letters to the neighbouring Governours desiring they wou'd give the necessary orders to the people under their Government, especially those bordering on this Province, to be ready to march to our assistance on the first notice of the approach of an enemy, at the same time assuring them I shall make the like disposition in their behalf.

I have inclosed to your Lordships the Minutes of Council since my arrival to 27 March last, together with the Acts of the Assembly ingrossed, which I am to desire you will please to lay before His Majesty in Council, for His Royal assent.

I shall sett out to morrow for Albany, to meet the Five Nations of Indians, in order to renew their engagements of Peace with me, on behalf of His Majesty, and upon my arrival shall detach another party of His Majesty's Troops to the Fort at Saratoga for the defence of that place.

This is all I have at present to trouble your Lordships with, and I hope you will believe I have done every thing within the compass of my abilities for the welfare and security of this Province, consistent with the honour and dignity of my trust, and nothing can contribute more to my satisfaction, if my conduct does answer that end, I am

My Lords

Your Lordships most obedient
& most humble servant
G. Clinton

New York
5th June 1744

The R^{t} Hon^{ble} the Lords of Trade & Plantations.

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 195.]

My Lord.

I have the honour to acknowledge to your Grace the receipt of M^{r} Stones letter of the 3rd Sept^{r} last by order of their Excellencys the Lords Justices, signifying their directions to put this Province into an immediate posture of defence, and to be in such a condition, as to be able not only to repel the French forces, if they should attack the said province, but likewise to be in a condition if necessary to attack them.

In compliance therewith I have notify'd their Excellencys orders to the Assembly upon their meeting, and have recommended to their deliberations the necessity there was to provide amply and immediately for the safety of this province at so critical a conjuncture, as Your

Grace may please to observe by my speech to them, which I have inclosed as also the Council and their address together with the grand Jurys.

Your Grace may please also to observe by the inclosed messages I have sent to them, that upon the intimations I have received of war being in all appearance declared by France against His Majesty, I thought they had not fully answered my expectations in raising sufficient supplys to repair our fortifications and pointed out to them in my first message such things as I thought were highly necessary upon the occasion, which Your Grace will see, they have only considered in part, upon which I immediately detach'd a double garrison to Oswego, and afterwards sent them another message to which they returned me no answer, as appears by the inclosed extract of their minutes —

I have taken every other precaution in power, to guard against any surprise by sending circular orders to the respective Coll^{s} of Militia and to the Capt^{ns} of His Maj^{tys} comp^{ys} posted in this province to inspect the arms and accoutrements of their men, and to see that they are in good order and fit for immediate service and that as often as conveniently may be, they do exercise the men in arms, keeping strict discipline, and the better to enable them to withstand an attack or to attack their enemy ; I have issued the inclosed Proclamations to forbid the exportation of Gun-powder, or the supplying the French with any kind of provisions, warlike stores or Merchandizes.

I have also sent circular letters to the neighbouring Governors, desiring they would give the necessary orders to the people under their Govern^{t} especially those bordering on this province, to be ready to march to our assistance on the first notice of the approach of an Enemy, at the same time assuring them, I shall make the like disposition in their behalf. —

I shall set out to morrow for Albany to meet the five nations of Indians in order to renew their engagements of peace with me on behalf of His Majesty, and upon my arrival I shall detach another party of His Majestys troops to Saratoga for the defence of that place. —

This is all I have at present to trouble Your Grace with, and I hope you will believe I have done every thing within the compass of my abilities for the welfare and security of this province consistent with the honour and dignity of my trust, and nothing can contribute more to my satisfaction if my conduct does answer that end — I am with the highest respect — My Lord — Your Grace's most obedient and most humble servant — (Signed) G. Clinton

New York 5th June 1744.

His Grace the Duke of Newcastle ettc ettc ettc.

Judge Horsmanden to the Lords of Trade.

[New-York Bundle, Gg., p. 106.]

New York 4th October 1744

My Lord

In obedience to His Majesty's Royal Commission for reviewing and determining the cause which has been long subsisting between the Governour & Company of the Colony of Connecticut, & the Tribe of Moheagan Indians, it was my lot to be one of the Commiss^{rs} that attended the

execution of it the last year; I could almost have wisht, it had not fallen to my share, as a foretaste had been given me upon the last Commission of the great Trouble & Difficultys which would be the necessary attendants upon the occasion; And after Seven Weeks hard labour at the place adjourned to from the opening of the Commission, We have in my opinion at length effected this service only, The bringing the Partys to make a defence, whereby materials are furnished for more competent Judges, to deliberate & determine upon.

I must acknowledge, my Lords, I had not such quick penetration as to form any more than a general opinion upon the merits, merely from the pleadings, & arguments of the Council at the Bar; the proceedings being long and tedious, consisting of a great variety of facts & transactions, disguised (as your Lordships will perceive) with great artifice, & incumbered with much superfluous matter, so as to swell up a volume to a considerable bulk; it could not but be a work of time to seperate the wheat from the chaff, & extricate the merits from that maze of obscurity, in which it has been so industriously involv'd,

As I thought it my duty to deliver my sentiments, however mean, upon the merits, when I should have had sufficient time, maturely to weigh & consider the case, & satisfy my own conscience in the matter, therefore I reserved the opportunity of so doing, at the time the three Commissioners, (who were the majority) delivered their opinion in Court, upon which the Judgment was founded, at the same time declaring a dissent to it, as to some fundamental points in the case, upon which I conceiv'd the merits must necessarily hinge; And having accordingly prepared myself, (as my leisure, & the multiplicity of the matter would admit of) to deliver my opinion on the Facts down to the year 1692 inclusive, I offered it in Court at the last sitting of the Commiss^{rs}; but it happening to contain some things displeasing to the Colony Agents, they opposed it's being entered in the Minutes of proceedings, according to the Liberty reserved, & a Majority of the Commissioners themselves overruled me; which conduct, however extraordinary, turn'd out as an indulgence, as it left me at large, not only to revise & reduce to a narrower compass, what I had then delivered, but also of going intirely through the case. And, my Lords, I must own my concern to see such cogent reasons, for differing intirely in opinion from the three Commissioners who gave the Judgment.

As to M^{r} Morris & my joining in signing the Judgment with the three Commiss^{rs} upon whose opinion the Judgm^{t} went, nothing more was, or (as I conceive) can be judg'd to have been meant by us than to signify 'twas the Judgment of the Court, That is, of a Majority of the Commissioners, which is always esteemed the Judgment of the Court, Our Dissents to some principal points contained in their opinion, having been previously declared in Court, & entered in the Minutes accordingly; though perhaps had that matter been more maturely considered, at a time of less hurry, we should not have sign'd it. However, my Lords, I thought 'twas proper this matter should be explain'd, in case much ado sho^{d} be made about that, which it does plainly appear by the minutes of proceedings we meant so litle by. For the Judgments in either Bench are tested by the Chief Judge, as the Judgments of the Court though the cases be ruled against their opinions.

As to the Deed 40, on which great stress has been laid, (in my opinion upon the slenderest foundation) the Agents for the Governm^{t} after hearing my remarks about it, declared they would send it home, & lay it before your Lordships to speak for itself, & have since brought it down to this place, & under that shew have got it certifyed as an Exhibit by two other Commiss^{rs} with myself, which I have too sufficient reason to esteem no more than a Feint as

I express'd myself to one of the Agents at the time of my certifying it; For I would it were before your Lordships, its own Language upon the view of it I should have esteem'd significant enough to have superceded the necessity of my observations to justify my opinion of it, & I should gladly have spared your Lordships the trouble of them.

As to the two Indian marks for Uncas & Poxon, to the Copy of what is called the Original Deed 40 in your Lordships Book of the proceedings pa. 234, & to that of Secretary Kimberly's certifyed Copy page 243, they were made by myself, from the best Copy I could make from the Originals, after several Essays, they are similar to them, but not near so good as the Originals, I chose to make them myself, because I found the Clarkes in copying the proceedings had not followed the rule prescribed, as to them, nor the other Indian marks, especially as to Uncas's, to make them as similar as they could, For some are done at random without any imitation.

I have told M^{r} Smith one of the Council for the Gov^{r} & Company, that he may have copys of my opinion, for his Clyents, paying for the Clarkship of them, that they may be left without excuse for delay at home. And I have told the same person I should acquaint your Lordships of the Offer I've made them, and likewise of the Declarations of their intentions of sending home the original Deed 40, And if they do not lay it before your Lordships, then my suspicions of their sincerity in that particular will prove to be well founded.

When M^{r} Lane, M^{r} Cortlandt & myself had finished the Examination of three copys of the Book of the Proceedings, the begining of March last, we sent one of them by way of Boston a few days afterwards to be transmitted to your Lordships by the first Vessell bound thence for London, & one of the Agents for the Gov^{r} and Company had one delivered him, & M^{r} Samuel Mason another a few days afterwards; But this is the first opportunity I have had of conveying my sentiments upon the case, since I had finished my opinion upon the whole.

My Intention in my first Draught, was to set the matter in the clearest view it should appear to me in; and to that purpose, to abstract the most material parts of several of the Instruments making notes of reference to the pages of the Book of proceedings where copys of the Instruments are to be found, which naturally drew me out to so great a length, as upon reflection I thought wo^{d} be too tedious for your Lordships perusal; And for that purpose I resolv'd to set about reducing it to as narrow a compass as possible considering the multiplicity of matter to be observed upon; And after all this did not answer my design, but upon further consideration, I tho^{t} proper to trouble your Lordships with both, as some new observations occurred to me on drawing out the 2^{d} and it may be both may be of some use to the Council concerned in the cause.

My Lords, the Task has been very ungrateful as well as laborious, but if my endeavours can be thought to have contributed any thing towards setting the case in its genuine and proper Light, so as Justice may be done in it, I shall esteem my Trouble therein sufficiently recompensed.

I am

My Lords

Your Lordships

most obedient & most hble Serv^{t}

DAN. HORSMANDEN.

To The R^{t} Hon^{ble} The Lords Commiss^{rs} for Trade &c.

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 202.]

My Lord

I have the honour of your Graces letter of the 31st March, with his Majtys Declaration of war against the French King, as also his declaration for the encouragement of His ships of war and privateers, together with a copy of the French Kings declaration, which overtook me at Soapus in my way to Albany, where I proclaimed His Majtys declarations at the head of a militia Regiment I was then reviewing, and upon my arrival at Albany, I made the like proclamation, as also in the Fort and Town Hall of this City, and caused the same to be done in the respective Towns and Countys of this province.

I beg leave to acquaint your Grace that I have had an interview with the Five nations of Indians, and have renew'd a treaty of peace and alliance with them. In my speech I remonstrated to them the base conduct of the French Court, and how necessary it was on their parts to guard against the false insinuations and designs of that Crown, and strongly incouraged them to be faithful and steady in our cause, with assurances to protect them against the assaults of their Enemys, and shall refer Your Grace more particularly thereto, as also to their answer which I have inclosed.

There met me upon this occasion Commissrs from the Governts of the Massachusets Bay and Conecticut to treat with those Indians, by my permission, in behalf of their Governments, to which I consented. The Gentlemen from Massachusets Bay had also a Commission to treat with me in conjunction with the Province of New Hampshire, and colonies of Connecticut and Rhode Island upon measures for sending a proper number of forces into Canada to distress the French in their Settlements, and to act jointly in concert with them for His Majtys service, in all respects against the common Enemy. To this I could give no other answer, but that I would recommend it to the Assembly, when they mett, and for my own part, I should be ready to contribute every thing in my power for that end, which commissions and proposals I have inclosed for Your Grace's perusal.—

Soon after my return from Albany, I called together the Assembly, and in my speech (which I have inclosed). Your Grace may please to observe, that I have recommended to them in a particular manner, to provide for the safety of this province, and among other things that they would make provision for my appointing Commissrs to treat with the neighbouring Governts for the necessary purposes before mentioned.

I have also inclosed several messages I sent to them, and their addresses to me, during their sitting, whereby Your Grace will see, how backward they are in their deliberations, and that it is with the utmost difficulty to bring them to any tolerable resolution for the service of the publick, notwithstanding their safety and fortunes are concerned, being under strong apprehensions daily that our Frontiers will be attacked by the French, who are equally busy in their designs against us by sea, having accounts lately of the arrival of four of their large ships of war at Cape Bretagne, and if they should not attempt any thing this winter, it may be reasonably thought, they will in the spring, as we have no Men of war to guard our coasts.

The Council on this occasion has not been wanting to shew their zeal for His Majtys service, and have readily concurred with me in every step to induce the Assembly to the like conduct, who from the nature of their proceedings, seem averse to Govrnt and have endeavoured to incroach upon His Majtys prerogative by the nomination of officers inserted in their mony

Bills for support of Govern[t], which the Council have not power to alter, and it was with a good deal of difficulty before they were prevailed upon to give up that point.—

Whatever may flow from the Assembly's want of attention to the business of consequence at this conjuncture, must be justly imputed to them, being satisfied, that I have taken every method to incourage this province in their Loyalty to His Majesty, and not only to provide for the safety of His Dominions in these parts, but also to distress and anoy the French in their settlements, Trade and commerce pursuant to your Grace's directions—

The Officers of the Customs belonging to this port, have made application to the Judge of the Admiralty for his assistance in the recovering of duty's, claimed upon prizes that have or should be brought in here by His Maj[ty's] ships of war or privateers, to which he answer'd, that he conceived none were due, and upon a hearing by Council, Judgment was given in favour of the subject.

Commodore Warren was the first who brought in a French prize, since the commencement of the war, he refused to pay any duty for the same, and says the like was not demanded in the West Indies where he has sent many prizes.

The Merchants of this City has been extreamly active in fitting out privateers, at a very great expence, and have brought in several prizes consisting chiefly of sugars, which from the nature of the duty claimed, would anticipate most of their gains.—I must therefore beg leave to move Your Grace, that you'll be pleased to interpose (in behalf of this city) with the Commiss[rs] of the Customs to drop their pretentions to said dutys which will greatly incourage His Maj[tys] subjects, to annoy the Enemy—I am with the highest esteem My Lord—Your Grace's most obedient and most humble servant—

New York (signed) G. Clinton.
9[th] October 1744.

His Grace the Duke of Newcastle ettc ettc ettc

Governor Clinton to the Lords of Trade.

[New-York Bundle, Gg., p. 108.]

My Lords

I have had the honour of His Grace the Duke of Newcastles letter of 31 March, with His Majesty's Declaration of War against the French King, as also His Declaration for the encouragement of His Majesty's ships of War & Privateers, together with a Copy of the French King's Declaration, which overtook me at Soapus in my way to Albany, where I proclaimed His Majesty's Declarations at the head of a Militia Regiment I was then reviewing and upon my arrival at Albany, I made the like Proclamation, as also in the Fort & Town Hall of this City, and caused the same to be done in the respective Towns & Countys of this Province.

I am now to acquaint your Lordships, that I have had an Interview with the five Nations of Indians, and have renewed a Treaty of Peace and Alliance with them; and in my speech I remonstrated to them the base conduct of the French Court, and how necessary it was on their parts to guard against the false insinuations and designs of that Crown; and strongly

encouraged them to be faithfull and steady in our cause, with assurances to protect them against the assaults of their Enemys, and shall refer your Lordsps more particularly thereto, as also to their answer which I have inclosed.

There mett me, upon this occasion, Commissioners from the Governments of the Massachusets Bay & Connecticut to treat with those Indians, by my permission, in behalf of their Governments, to which I consented. The Gentlemen from Massachusets Bay had also a commission to treat with me in conjunction with the Province of New Hampshire & Colonys of Connecticut & Rhode Island, upon measures of sending a proper number of Forces into Canada, to distress the French in their settlements; and to act jointly in concert with them for His Majesty's service in all respects against the Common Enemy. To this I cou'd give no other answer; but that I wou'd recommend it to the Assembly, when they mett; and for my own part I shou'd be ready to contribute every thing in my power for that end; which Commissions and Proposals I have inclosed for your Lordships perusal.

Soon after my return from Albany, I called together the Assembly, and in my Speech (which I have inclosed) your Lordships may observe that I have recommended to them, in a particular manner to provide for the safety of this Province, and among other things, that they wou'd make provision for my appointing Commissioners to treat with the neighbouring Governments for the necessary purposes before mentioned.

I have also inclosed the Votes & Proceedings during their sitting, whereby your Lordships will see how backward they are in their deliberations, and that it is with the utmost difficulty to bring them to any tolerable resolution for the service of the Public, notwithstanding their safety & fortunes are concerned, being daily under strong apprehensions, that our Frontiers will be attacked by the French, who are equally busy in their designs ag^{t} us by sea; having accounts lately of the arrival of four of their large ships of War at Cape Britain; and if they shou'd not attempt any thing this winter, it may be reasonably thought, they will in the Spring, as we have no Men of War to guard our coasts.

The Council on this occasion has not been wanting to shew their zeal for His Majesty's service, and have readily concurred with me in every step to induce the Assembly to the like conduct, who from the nature of their proceedings, seem averse to Government, and have endeavour'd to encroach upon his Majesty's Prerogative by the nomination of Officers inserted in their mony bill for support of Government, which the Council have not power to alter; and it was with a good deal of difficulty before they were prevailed upon to give up that point.

Whatever may flow from the Assembly's want of attention to the business of Consequence at this conjuncture, must be justly imputed to them, being satisfied that I have taken every method to encourage this Province, in their loyalty to His Majesty; and not only to provide for the safety of His Dominions in these parts; but also to distress the French in their settlements, trade and commerce, pursuant to His Grace the Duke of Newcastle's Directions.

I am also to acquaint your Lordships that since I had the honour of writing to you, there has happened a vacancy in the Council by the death of M^{r} Lane; and as I believe (for the reasons I have given of M^{r} Clarke's refusing to be a Member) M^{r} Rensalaer is appointed in his room, I must desire that M^{r} Stephen Bayard (a Gentleman of like probity and fortune with those I have recommended to your Lordships) may be appointed in the room of M^{r} Lane. It is a matter new to me, why my Recommendation shou'd be postponed in favour of M^{r} Rensalaer, and that M^{r} Clarke shou'd be considered by you, as if I had not represented his

conduct in a just light. I am conscious I have shewed him all the respect due to him, and it is no addition to his character not to continue in Council upon my coming hither.

The Officers of the Customs, belonging to this Port have made application to the Judge of the Admiralty for his assistance in the recovering of Dutys claimed upon prizes, that have or sho'd be bro^{t} in here by His Majesty's ships of War or Privateers, to which he answered, that he conceived none were due, and upon a hearing by Council, Judgement was given in favour of the Subject.

Commodore Warren was the first who brought in a French Prize since the commencement of the War, he refused to pay any Dutys for the same, and says the like was not demanded in the West Indies, where he has sent many prizes.

The Merchants of this City has been extreamly alert in fitting out Privateers, at a very great expence, and have brought in several prizes, consisting chiefly of sugars, which, from the nature of the Duty claimed, wou'd anticipate most of their gains.

I must therefore beg leave to move your Lordships to interpose (in behalf of this City) with the Commissioners of the Customs to drop their pretensions to said Dutys, which will greatly encourage His Majesty's subjects to annoy the Enemy. I am with great respect

My Lords

Your Lordships most Obedient
and most humble servant
G. Clinton

New York
9th October 1744

P. S.

Not having time now to send your Lordships the Acts & Minutes of Council I shall inclose them by another ship that sails in a fortnight.

The R^{t} Hon^{ble} the Lords of Trade & Plantations

Conference between Governor Clinton and the Indians.

[New-York Bundle, Gg., p. 109, 110.]

[Propositions made to the Six Nations of Indians. Viz^{t} the Mohawks, Oneydes, Onondagas Tuskaroroes Cayeuges and Sennekes By His Excellency the Hon^{ble} George Clinton, Capt^{n} General and Governour in chief of the Province of New York at the City Hall in Albany the 18th June 1744.

Present—Phillip Livingston, James De Lancey, Daniel Horsmanden, Joseph Murray, Esqrs of his Majesties Council.
The Commissioners of Indian Affairs &ca.]

Brethren,

This Interview gives me the greatest pleasure as I am persuaded we meet with equal sincerity, in order to renew, strengthen and brighten the Covenant Chain, that has so long tyed you and the subjects of His Majesty the Great King of Great Britain, your Father and my

Master in mutual Tyes of Friendship and benevolence, which I hope will be inviolably preserved and continu'd as long as the Sun and Moon endureth.

I have express orders from the Great King Your Father to do my utmost endeavour that it shou'd be kept bright & strong even unto the world's end; and I do now assure you on my part, and in behalf of all His Majesty's subjects upon this Continent of North America, that we will on our parts for ever keep it sacred and free from rust, and I expect the same from you.

[A Belt.]

The Great King of Great Britain my Master and your Father, in pursuance of his engagements by Treatys having the last year sent an Army into Germany in maintenance of his Allies, for the preservation of the libertys of Europe, His Majesty's Forces were treacherously and contrary to the faith of Treatys attack'd by the French, who by the courage & vigour of our Great King & his Army, were beaten, and obliged to retire cross a River, in which many of the Enemy were drown'd, and those who escaped destruction fled into their own country.

That afterwards the French joined their Fleet with that of His Majesty's Enemys, the Spaniards, in order to attack part of his [Maties] Fleet, and our ships beat them in conjunction; but not content with this, to shew his malice, The French King declared war against our King, and his Majesty has declared war ag^{t} the French, which was published at Albany the 12th instant. I wou'd have sent a Messenger to your several Castles to acquaint you of this, had you not been on your journey so near to this place.

I do earnestly recommend to you to be on your guard against the French, who you know by wofull experience to be a false & treacherous People; and that you stay at home, to watch their motions, there, to receive my directions concerning the war, and to transmit such Intelligence as you shall gett concerning the Enemy, from time to time, to the Commissioners of Indian affairs.

I promise in the name of the Great King our Father to defend you ag^{t} any assaults or attacks from the French, to the utmost of my power, and there are Commissioners now here from two of the neighbouring Governm^{ts}, the Province of the Massachusets Bay, and the Colony of Connecticut, who are come to renew and strengthen the Covenant Chain, on their parts, and have given me assurances that they will unite with me, and you in promoting their and our mutual safety and defence, and the annoyance of the Common Enemy: As you are a wise People you must be convinced the French have always been aiming at nothing less than to enslave you, and the King of Great Britain has nothing more at heart than to make all his subjects and children, a happy & flourishing people, (as you have great reason to be sensible of) to free you from the first, and to promote the latter; I expect you will to the utmost of your power assist His Majesty's subjects in the vigorous prosecution of this just war ag^{t} the French King, and his subjects and all such as do or shall adhere to him, and join with us in the same, both offencively & defencively whenever you shall be called upon to it, as well becomes the faithfull and dutifull children of our great King: To this I expect you will give me a plain and satisfactory answer.

[A Belt.]

While we have a place of defence at Oswego, which you cannot but be sensible of, from long experience, is a great benefit & advantage to you, by having all necessarys brought to your country, and sold to you at your own doors at moderate & reasonable rates; Whereas the

French considering their own private interest only, enhance the price of their commodities, and sell them dear, which you have likewise long experienced; and they wou'd be still dearer if you shou'd loose the benefit of that place. I acquaint you that I have sent six pieces of Canon up to the defence of Oswego, and a reinforcement of soldiers, with a supply of arms, powder & ball, and I expect as the Place is of such importance to you, as well, as to His Majesty's Subjects, in your protection, & preservation that you will readily and willingly at all times with the utmost cheerfullness and vigour, defend the same from all efforts & attacks which may be made by the French, for by the neglect of that Place of security, you may enslave yourselves, and put on shakles, which neither you nor your posterity may be ever able to shake off; whereas you are now a free & happy people enjoying the inestimable benefit of liberty under the protection of the best of Kings & Fathers, who has the welfare of his subjects & children most warmly at heart; His Majesty is a strenuous asserter of the material rights and freedom of Mankind in General; and in maintenance of the Common Cause and the defence of the Libertys of Europe, hazarded his invaluable life in the attack, and defeat of the French Army the last summer.

[A Belt.]

The Sennecas & Cayougas promised at their last [general] meeting at this place to remove their Castles, and reside together as formerly your Ancestors did; which (if you have not already done) I hope you will comply with as soon as possible, for it is the more necessary at this time of War: Settling together in a body will greatly add to your strength, and heighten your reputation; by rendring you more formidable, whereas a scattered and divided people abate of their strength, and the easier become a prey to their Enemys.

[A Belt.]

You likewise promised at the last Interview not to suffer the French to reside amongst you and I hope & am fully persuaded, you will strictly observe these, and all other your engagements, by Treatys, so frequently and solemnly renewed, ratify'd & confirm'd as we are now in actual war with the French and that you will not suffer them to settle on any part of your lands which may give them such a footing in your Country, as in time may endanger the whole.

You well know their aims, in their attempts to draw you off from the obedience & fidelity you owe to your Father, & Defender the Great King of Great Britain, is your destruction; wherefore as you tender your own preservation and security, I trust that if any of them shou'd come amongst you for the future, You will immediately banish them, or deliver them to my officer at Oswego.

[A Belt.]

Answer made by the Sachims of the Six Nations, viz^{t} The Mohawks, Oneydes, Onondages, Tuskawres, Cayouges & Sennekes to His Excellency the Hon^{ble} George Clinton Gov^{r} & Commander in Chief of the Province of New York &c^{a} at the City of Albany 20th day of June 1744.

[Present—His Excell^{cy} the Hon^{ble} Geo Clinton
Philip Livingston
Daniel Horsmanden } Esqrs of his Maties Council
Joseph Murray
The Commissoners of Indian affairs Mayor & Alderm^{n} &c.]

Brother Corlaer & Queder

You spoake to us lately, and we promised to give you an answer which we now come to do.

We have well understood what you have said, but cannot repeat it all as you spoake it to us, but we will however answer every Article.

You told us that you was very glad to see us here to renew and strengthen the Ancient Covenant Chain made between our Forefathers, and that you had express orders from our Father your Master the Great King to renew & strengthen the same, which you have accordingly done on your part. We the Six Nations do now also on our parts renew stengthen and brighten the same Covenant Chain, which we will keep so, as long as the Sun endures we will preserve it so strong, & so bright, that it shall not be in the power of the Devil himself, with any of his wiles and arts to break or dirty the same.

Gave a Belt of Wampum.

Brother

You told us that the Great King our Father had sent an Army into Germany, which was treacherously attacked by the French, But that our Great King defeated the French Army, kill'd some, some were drowned in a River, and the remainder fled, and that afterwards the French joined their ships with those of the Spaniards to attack the ships of the Great King our Father, but were again defeated, and that the French were then not yet contented but proclaimed war against our Father the Great King which our King did then also against them, and that it has also been declared in this place a few days ago.

We the six Nations have well understood what you have said concerning the war, We cannot answer to every particular, but do promise that we will keep all our people at home, and there expect orders from our Brother, and we will be upon our Guard to watch the Enemy, and we answer our brother in General that we will do in all things relating to this War, as you have desired us, whereupon we give

this Belt

Brethren[1]

We just now told you, That we wou'd do as you desired us; We do yet well remember that we went with you to assist you against the French in the Expedition against Canada.

We look upon ourselves to be a warlike people and never entered into a war with any Nation, but in the End we have gott the better of them, but yet we are inclined to Peace, 'till the Enemy attack some of His Majesty's subjects, and then we will join together to defend ourselves against them.

gave a Belt.

Brother

Concerning the House at Oswego, you told us that you expected we wou'd assist in defending it against the Enemy. You also told us that you thought that house very beneficial to us, as it supplys us with goods, We have thought proper at this time to say something concerning the Trade, the first year or two after that house was built goods were cheap; and it was a pleasure to trade there, but now goods are sold so dear at that place, that we cannot say we think it advantageous to us upon the Account of trade. We wou'd now desire of your Brother that goods may be again at the same rate as the first two years.

[1] *Sic.* Brotber. *New-York Council Minutes*, XIX., 259. — Ed.

The Commanding Officer who is now at Oswego, we desire of our Brother that he may stay there, We like him better than any other.

We are thankfull that you have sent Cannon to Oswego to defend that place ag^{t} the Enemy.

Brother

It has always been customary to recommend to us to keep up a Correspondence with the far Nations, which has at this time not been done, however we will do all we can to keep friendship with those Nations, who are united with us, and then we can overcome any Enemy whatever.

Gave a Belt

Brother

You remind us of the promise the Cayouges and the Sennekes made two years ago, to remove their Castles & to settle in a body, and you told us how necessary this is, especially at this time of War, of which we are convinced, We do now acquaint you that we are busy to do as was promis'd, and the Oneydes also promise to gather together their people and to settle in a Body.

Gave half a Belt.

Brother

You also desired that we shou'd not suffer any French to reside amongst us, and that if any came into our Country, we shou'd either banish them or deliver them to the Officer at Oswego, We have just now told you that we are inclin'd to Peace, & will expect the attacks of the Enemy, and shou'd we now take hold of any French that come among us, We shou'd be the Aggressors; Wherefore we leave it to you to do with the French that may come into our Country as you shall think proper

Gave half a Belt.

His Excys Reply to the foregoing Answer

Brethren

As to the Trade of Oswego, you may be assured, I will do the utmost in my power that Goods shall be sold you, at the cheapest & most reasonable rates at all times.

I well approve of your keeping up a good Understanding & Correspondence with the far Nations, and am pleased at the manner of your mentioning it, they being linkt with you, will become an accession of considerable strength, which will make you still more formidable.

As you intend to speak, or correspond with those far Nations, I shall order you a Belt of Wampum to deliver in my name, in order to renew, & confirm the alliance between us, & them

20th June 1744.

NOTE. — The words and passages within brackets in the preceding document are added from the Record in *New-York Council Minutes*, XIX., 253-261. — ED.

Proposals of the Commissioners of Massachusetts.

[New-York Bundle, Gg., p. 118.]

Albany 20th June 1744

To His Excellency the Hon. George Clinton Govr of New York, To the Honble Roger Wallcott & Nathl Stanley Esqrs Commissioners for the Colony of Connecticut conven'd here to confer with the several Tribes of Indians, and in Concert with us the Commissioners of the Province of the Massachusets Bay, to consult & agree on proper measures for the mutual defence of His Majesty's subjects of the Provinces & Colony we represent, in the present War against the French, and such as are or may be their Abettors and Adherents, and for annoying the Common Enemy in such manner as may be thought most proper.

Whereas the Conference with the said Indian Tribes which has hitherto taken up our time, is now in a manner over. We the said Commissioners for the Province of the Massachusets Bay, in the name of our Government do further propose to your Excy and Honours that it be now agreed

First. That in case an Invasion shou'd be made by sea or land on either of the said Governments, by the French or Indians in present War, the other two shall hold themselves obliged to send succour to their relief, in such number & manner as may be reasonable & necessary, and as we shall now agree on.

2dly That a proportion of Men (to be armed, subsisted and paid by the Governments that send them respectively) be agreed on, to scout and Scour the Woods in case of an Indian War.

3dly To agree on a suitable number & proportion of good cruising vessells well arm'd & mand by the Governments respectively to guard our Sea Coasts.

4thly To agree upon the most proper methods for our mutual information & notice of any approaching danger by Sea or Land.

5thly To consult about & agree to the most effectual measures of annoying the Indian Enemy in case they make War upon us.

6thly To stipulate that no Peace be made with the said Indians or any Tribe of them, waring with these or either of these Governments without the privity & consent of the whole.

7thly To consider the necessity or expediency of carrying the French War into their own settlements, and to agree on the proportion of Men each Governmt shall find in case of such an attempt.

8thly To agree on what Incouragement shall be given the Indian or English Soldiers, we may send out against the Enemy.

9thly To consider whether it may not be proper in some suitable manner to desire the Govr of Canada to forbear their former practice of sending Scouts of French or Indians in small partys, on our frontiers to knock our Women & children in the head, and propose that he carry on the war in a manner more suitable to the usage of civilized nations, and to let him know that unless he conforms hereto, he will necessitate us to take the same methods with his people.

John Stoddard
Jacob Wendell
Thos Berry
John Choate
Thos Hutchinson
} Commissioners.

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 217.]

My Lord.

M^r^ Clark the Lieut^t^ Governour lately showed me two printed scheimes which he said were sent him from England; the one is:

Proposals for establishing by act of Parliament dutys upon stamp papers and parchment in all the British and American Colonys.

The other — Some remarks on the most rational and effectual means that can be used in the present conjunction for the future security and preservation of the Trade of Great Britain by protecting and advancing her settlements on the North continent of America.

As I presume those scheemes are handed about in order to be passed into a Law by the Legislature, I make no doubt but that Your Grace has seen them.—

I must beg leave to make a short observation upon them. The People in North America are quite strangers to any duty, but such as they raise themselves, and was such a scheim to take place without their knowledge it might prove a dangerous consequence to His Majesty's interest—

The other is calculated to appoint a General Officer to preside over the respective Governments upon the Continent, who is to have entirely the disposition of the Troops that might be raised by those dutys, which consequently must anticipate any power given to Capt^n^ Gen^ll^ or Command^r^ in chief by virtue of his Commission under the broad seal and by that every Governour expects to command in chief; but by words of this scheem he can be no more than a Sypher in his Gov^nt^ if the command of the Troops is given up to another, and with submission to Your Grace no Capt^n^ General can ever dispense with such a superiority.

As I am apt to think M^r^ Clark is concerned in these scheems in order to obtain the appointment of the Commissioner for Stamps in America as well as the inferior Officers under him (which no Govern^r^ will willingly come into) and as he is now out of power, he may be (if he obtains his own ends) regardless what factions such scheims may occasion; but as it is incumbant on me to preserve the peace and tranquility as well as the faithfull allegiance of His Maj^ty^ subjects within my Govern^t^, I must beg leave to move your Grace that those Scheims be first referred to the respective Governours and their Councill to be duly considered and reported before they take place.

I can justly say that no Governour before me has taken more pains then myself to work up a stubborn set of people who are of the Assembly, to a spirit of loyalty and a hearty zeale for His Maj^tys^ service abstracted from any interested views of my own, and had I not taken singular pains to move them to send a reinforcement of the Militia to Oswego which I had before doubled Garrison with His Maj^tys^ Troops; that important fortress must have been before now in the possession of the French — These reinforcements gave a fresh spirit to the Indians, and upon the Gover^r^ of Canada sending to them he designed taking that place this fall, they boldly told him they would take up the Hatchett in defence of it upon which he has drop't any thoughts of attacking it this winter.

I shall in a more fuller manner acquaint Your Grace by the next opportunity with some observations of the nature of the Country for Your Grace's considerations and am with the greatest respect

My Lord—Your Graces most humble and most obedient servant (signed). G. Clinton

New York 13th December 1744.

His Grace the Duke of Newcastle.

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 218.]

13. Decembr 1744.

My Lord.

The 20th of last month I had the honour of your Graces favour of 31st March with duplicates of His Majtys declaration of war against the French King, and also one of 26th April desiring that publick notice be given in all partes under my jurisdiction to the Agents for the Captors of Spanish prizes taken between the 10th July 1739 and 19th October following to transmit their accounts and ballance to the Commissioner appointed for the distribution thereof, which I have accordingly done.

I had also by the same packit His Majtys orders signifyed by your Grace impowering me to enjoyn all Captns of ships to whom I may grant letters of marque or Commissions for private men of War against the King of Spain and the French King not to make prize of Dutch Ships upon pretence of their having on board Spanish or French effects, though contraband, contrary to the intention of the Marein Treaty, which orders I shall strictly observe and enjoyn all Captains to obey, that may have Commissions from me hereafter—

I am with the greatest regard

My Lord.

Your Graces most obedient and most humble servant (signed). G Clinton.

His Grace Duke of Newcastle.—

Count Zinzendorff to the Lords of Trade.

[Plantations General Papers, Vol. XIII., N. 75.]

To the Right Honourable The Lords Commissioners of Trade and Plantations.

My Lords,

Some years since (by an almost evident instigation of the Calvinist Clergy & a mean sort of people who thro' their ignoble disposition easily take occasion thereto) there has in the American

Colonies arisen an evil Custom of disturbing and burdening honest Men of all Sorts, who have settled themselves in those Colonies hoping to enjoy an unrestrained Freedom of Religion & in civil matters such an honourable liberty as is no way prejudicial to the honor of the Crown. I do not think it needfull to mention here the great multitude of Instances of injurious treatment w^ch^ are personally known to me, since my present Intention is not to accuse any body but only to lay before Your Excellencies the Lords at the head of the British World in the West Indies the intrinsick State of Matters, as Your Lordships are able with one stroke of the pen to prevent so many thousand future Inconveniences, that an honest and benevolent Man on that account willingly forgets the smart of a multitude of Injuries already endured.

I petition for two Declarations or Orders;

The one to keep honest people as well strangers in, as inhabitants of, America from being chicaned with and plagued without the least reason & as it were only de gayeté de Cœur.

The Second that in the aforesaid Colonies no body but least of all the Indians shall be hindered from joyning with any Protestant Church whatsoever w^ch^ in his ideas is the most solid, according to the measures taken for encouraging Foreigners to settle in the British Colonies in America.

Your Lordships have so much wisdom that I think it not proper previously to trouble you with Arguments: But if for other people's sake (whose understanding & inclination is not in so good a Disposition as your Lordships') you sh^d^ desire that those points about w^ch^ I have petitioned sh^d^ be confirmed by some Proofs, I wait Your Lordships' order & am, My Lords,

Your Lordships' most humble
& obedient Servant
ZINZENDORFF.

Maienborr
31 Dec. 44

Governor Clinton to the Lords of Trade.

[New-York Bundle, Gg., p. 137.]

My Lords

Since I have had the honour to reside in this Government, I have been favoured only with one letter from your Lordships of the 27^th^ of January last, acknowledging the Receipt of mine of 2 Oct^r^ 18 Nov^r^ & 9 Dec^r^ 1743.

Since which, I have wrote to your Lordships the 14^th^ May last, acknowledging the receipt of that letter, and express'd my thanks for your recommending three of the Council, I had named to your Lordsps and therewith inclosed the Minute of Council of M^r^ Clarkes refusing to be a Member thereof, in order to remove your suspension of recommending M^r^ Renselaer to succeed him.

I also wrote to your Lordships 5 June following, & therein inclosed a duplicate of my last, as also my Speech to the Assembly of 17 April, together with the Council & their Addresses, and sundry Messages I sent to them, to make an ample & immediate provision for the safety of the Province & a speedy Reparation of their Fortifications, upon the Intimations I receiv'd of War being declared by France. By the same opportunity were sent the Votes of their Proceedings, the Minutes of Council (wherein M^r^ Clarke resigned his place of Councillor in

Form, Also the Ingross'd Acts of Assembly for His Majesty's Royal Assent, and I acquainted your Lordships with my setting out for Albany the day after, to have an Interview with the Five Nations of Indians.

To these two last letters I have received no answer, nor has it been signify'd to me by your Lordships, that your Recommendation of the Councillors has been approved, nor any intimation from the Board that the measures taken in my Government are agreeable, & thought consistent with His Majesty's service.

I likewise wrote to your Lordships the 9th October last & inclosed my Speech to the Assembly of 18th July last, and therein I acquainted you with my meeting the Five Nations of Indians, and what was transacted upon that occasion, and I herewith send your Lordships a Duplicate of that letter, with what referrs thereto.

It wou'd give me great satisfaction to know if my letters came safe to your hands, as opportunitys offer, and as the ships which convey'd them are returned, without any answers thereto, it gives me room to fear they are miscarried, or that I have not fully answer'd your Lordships expectations in my Proceedings, which I assure you are my intentions.

I was not a little surprized to find Capt Rutherford (upon his arrival here) appointed one of the Council, which has anticipated my recommendation to you of a very worthy Gentleman of this Province. Mr Rutherford is but a stranger in this Country, and his appointment has greatly alarm'd the People, particularly those of the better sort, who expect to be promoted to that Preferment, as Vacancies happen, and I wish His Majesty's interest may not suffer upon this occasion, being apprehensive it will create a confusion in my Government, which I hitherto preserv'd in good harmony & free from faction; and it is no easy matter to alay a tumultuous People, when once they begin, of which there has been strong instances in this Province.

As Captain Rutherford resided at Albany, where Mr Renselaer lives, whom I recommended to succeed Mr Clarke, it will cause a very great sedition among the People there, if he is not immediately appointed a Councillor, Mr Clarke still refusing to be concerned for the reasons given you, and I hope he will be no longer indulged in that respect, and that Mr Renselaer will be forthwith appointed, and his Warrant dated equal with those he was recommended, otherwise he won't accept of it. This Gentleman is of the most considerable fortune & influence in the County of Albany, and a very loyal subject, and able at all times to promote His Majesty's Service.

From what I have said, I imagine your Lordships will think it requisite to suspend the nomination of any of the Council hereafter, until they are notifyed by me, being satisfy'd, that as I am upon the spott, I can best judge of their Inclinations and Power, and shall name none; but such as are of the best Fortunes and Estates in the Country, zealous for His Majesty's service, and the welfare of the Province. I am with very great respect

My Lords

Your Lordships most obedient
and most humble Servant
G. Clinton.

New York
2d Janry 1744

The Rt Honble the Lords Comrs of Trade & Plantations.

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 219]

My Lord.

Since my arrival into this Govern^{t} I have had the honour to write to Your Grace the 2nd October, 18 Nov^{r} 9 & 26. Dec^{r} 1743. the 5th June and 9th Oct^{r} last, acquainting your Grace with the nature of my proceedings to all which I have not been honoured with any answer, which I impute to your Graces engagements in matters of higher importance.

In my letter of the 18th Nov^{r} I informed Your Grace that the Lords Commissioners of Trade had deferred the recommending to His Majesty, the filling up some vacancies in the Council, until I arrived here, and then I took the liberty to name to Your Grace four Gentlemen to be members thereof viz^{t} Peter Warren, Joseph Murray, John Moor, and Jeremiah Renselaer, the first three whereof their Lordships have told me, they had recommended to His Maj^{ty}, but suspended their recommendation in favour of M^{r} Renselaer to succeed Lieu^{t} Gov^{r} Clarke, who refused to be sworn in upon my arrival, notwithstanding I frequently importuned him thereto, and still persists in the same opinion, upon account of His infirmities, which were given as a reason in the minutes of Councill transmitted to their Lord^{ps} in order to remove their suspension of recommending M^{r} Renselaer in his room, and I must beg Your Graces approbation in favour of this Gentleman, he being highly worthy of the Office.—

In my letter of 5 June I inclosed my speech to the Assembly of 17. April preceeding. together with the Council and their addresses and sundry messages I sent to them to make an ample and immediate provision for the safety and defence of the province, and a speedy reparation of their Fortifications, pursuant to their Excell^{cys} the Lords Justices directions, signified to me by M^{r} Stone the 15. Aug: 1743. and then I acquainted Your Grace with my setting out the day after for Albany, to meet the Five nations of Indians.

In my letter of 9th October I acknowledged the receipt of His Maj^{tys} declaration of War and inclosed my speech to the Assembly of 18th July 1744. and therein acquainted Your Grace with my meeting the Five nations of Indians, and what was transacted upon that occasion, and I herewith send Your Grace a duplicate of that letter, with what refers thereto.

It would give me a particular satisfaction to know if my letters came safe to Your Graces hands, signifying Your Graces approbation of my conduct, which shall always be my study to merit.

Upon the arrival of Capt^{n} Rutherford, I have the honour to be informed by your Grace with his appointment of a Councillor, which has anticipated my recommendation of a very worthy Gentleman of this Province. M^{r} Rutherford is but a stranger in the Country, and his appointment has greatly alarmed the people, particularly those of the better sort, who expect to be advanced to that preferment, as vacancies happen, and I wish His Maj^{tys} interest may not suffer upon this occasion, being apprehensive, it will create a confusion in my Govern^{t} which I have hitherto preserved in good harmony and free from faction.

As Capt^{n} Rutherford resides at Albany where M^{r} Renselaer lives, whom I have recommended to succeed M^{r} Clarke, it will cause a very great sedition among the people there, if he is not immediately appointed a Councillor in M^{r} Clarke's room, and I hope Your Grace will please to move his Maj^{ty} to appoint M^{r} Ranselaer forthwith, and his warrant made of an equal date with those he was at first recommended, otherwise he won't accept. I am the more earnest

to have this Gentleman of the Councill, as he is of the most considerable fortune and influence in the County of Albany, a loyal subject, and at all times able to promote His Majᵗʸˢ service. With submission to Your Grace I believe it will be requisite to suspend the nomination of any of the Council hereafter, until they are notifyed by me, being satisfied that as I am upon the spot, I can best judge of their inclinations and power, and Your Grace may be assured, I shall name none, but such as are of the best fortunes and estates in the Country, zealous for His Majᵗʸˢ interest and the welfare of the Province.

I have frequently represented to the Board of Admiralty that our coasts are quite unguarded and exposed to the insults of the Enemy, having no ship of War to protect us, and unless Their Lordᵖˢ will please to send out such ships to this port, as I have represented to be absolutely necessary for the safety of our Trade, we may expect many fatal consequences from a neglect thereof, and I think it my duty to acquaint Your Grace therewith, and hope you will please to lay the same before the Admiralty. I am with the highest respect—My Lord—

Your Grace's most humble, and most obedient servant.

New York. 2ⁿᵈ January 174⅘. (signed). G. Clinton.

His Grace the Duke of Newcastle.

Mr. Walpole to the Lords Commissioners of the Treasury.

[New-York Bundle, Gg., p. 117.]

To the Right Honourable the Lord Commissioners of His Majesty's Treasury.

My Lords

I beg leave to lay before your Lordships an Extract of a letter dated the 8ᵗʰ October 1744 from Mʳ Moore my Deputy as Auditor of His Majesty's Revenues in New York, to Mʳ Pennant my Deputy here; with the Copy of a Memorial of Mʳ Archibald Kennedy the Receiver of His Majesty's Quitt Rents in that Province, and of observations made by my said Deputy both relating to an Act passed there (of which the Inclosed is a printed Exemplair) entituled an Act for *Regulating the Payment of His Majesty's Quitt Rents and for partition of Lands in order thereto.* this Act passed in May 1742 and as it was found to be injurious to His Majesty's Rights with Respect to the Quitt Rents, and defective with respect to the partition of Lands, a new bill was this year sent up by the Assembly of New York to the Council there, entituled *An Act for amending an Act for Regulating the Payments of the Quitt Rents and for yᵉ Partition of Lands in Order thereto.* But the Officers of the Crown finding that the said bill related only to that part of the Act *for the Partition of Lands.* The Receiver presented the aforesaid inclosed Memorial to the Council, and my Deputy made the abovementioned observations upon it, from whence the great Injustice done to the Crown, both with regard to the Collection of His Majesty's Quitt Rents, as well as for the Recovery of them, appears at one view so flagrant, and notorious, that it is unnecessary for me to add any thing to what the Officers have stated in so full a light, or to shew, that if the said act, should continue to subsist His Majesty must be deprived of His

Quitt Rents which as justly belong to him, as the Lands do to the Proprietors from whence they arise, who indeed have no title to that property, but on condition of paying the Rents reserved in their Grants. I need not acquaint your Lordships that the reservation of small Quitt Rents to the Crown, upon the Grant of Lands, is an institution of great advantage to the Colonys, because if the Lands granted are (as they ought to be) cultivated, the fruit and benefit to the grantee is so considerable as to make the payment of the Reserved Rent, a trifle, but if means can be found out to defeat the payment of it, Great tract of Lands may be taken up (which I am afraid is the case now of some Colonys) and being kept uncultivated, obstruct the settlement of that Colony, to the particular advantage of the owner of those Lands, but to the great Detriment of the Publick by checking the Encrease of Strength and Riches in that Province.

What might give occasion to the passing this Act, I can't tell, but it seems a very extraordinary proceeding, that an Assembly should take upon itself, without any application from the Crown to pass a Bill for regulating the Payment of His Majesty's Quitt Rents, when the Course of Law for that purpose is open and known, and under colour of such a Regulation, deprive the King of the Antient and legal method for ascertaining and recovering his rights, upon which the property of that very Assembly is founded, I thought it my Duty to lay this matter before your Lordships, and am with respect

My Lords

Your Lordships

Most obedient and

Most humble Servant

J Walpole Auditor

Cock pit Whitehall
Jan^{ry} 24. 174$\frac{4}{5}$

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9. p. 222.]

(duplicate).

My Lord.

The Govern^{t} of the Massachusets Bay having received information, that the Garrison of Louisbourg was in a very weak condition, and that pursuant to a petition preferred by a considerable number of inhabitants of that Province, to the General Court there, representing the importance of the reduction of that place, to the obedience of His Maj^{ty}: It was reported to be the opinion of the Committee of both houses, as incumbent upon that Govern^{t} to attempt the reduction thereof.

Upon this head Govern^{r} Shirley wrote to me the 29th January last and urged very pressingly, that this Province should furnish its respective quota, as we were equally concerned in duty and interest, to join them in so laudable a design.

Whereupon, conceiving this enterprise was calculated in all respects for His Majesty's service and the interest of the northern Colonys, I called together the Assembly of this Province; but they not meeting according to time I prorogued them for a week, and then made to them the inclosed speech, in full confidence, they would immediately provide for that service, in such

manner, as became every subject, who had His Majᵗʸˢ interest at heart. They have been deliberating above twelve days thereon, and as yet, come to no final resolution with respect to their quota, which I am the more surpised at, as this province will have a greater advantage, by this conquest, than any upon the continent, which in all probability might facilitate the reduction of Canada, from which quarter, we are under daily fears of being attack'd by the French, who have lately by their Emissarys, caused a very great commotion amongst our Indians, in making them believe we designed to cut them off; with this notion they were so greatly alarm'd, that the Mohawks and Seneckes (the principal nations). were formed into a body to destroy our settlements; and had not the Commissioners of Indian affairs at Albany, been very alert and diligent to quell this report and remove their fears, in all likelyhood, we should have lost our Indians.

The French have considerably increased their settlements on our backs, and almost inhanced the Indian trade to themselves, by means of the lake Cadaraqui, whereon they have two or three vessells of 50 or 60. Tons with 6 or 8 swivle guns to each, and manned with 12 or 15. men, with which they carry on their Trade. They have also built Forts, and trading houses ranging along the lake (contrary to the Faith of Treatys). whereby they hold their power over all the Indian nations, except those dependant on our provinces, and even among those they have, and do daily gain too great an influence.

To remedy those evils for the present I have recommended the building of a Fort, in the Senneckes Country, to be well manned with the militia of the Province, and maintained at the publick charge, in order to keep the French from coming among them (His Majᵗʸˢ four companys being scarce sufficient to garrison the Forts already built) But as I am affraid the Assembly will not come into this expence nor enter into joint measures with our neighbours in support of the common cause, on account of the great charge they are at in guarding the Frontiers, and making large annual presents to the Indians, in time of peace as well as war, to preserve them in their fidelity, which no other Governᵗ upon the continent in any shape contributes to, tho' they all receive advantages from it: It is thought advisable and I know of no other lasting expedient for preserving of our frontiers than forming the four companys into a Regimᵗ of 1000 men, to be forthwith raised and sent from England, with an Engeneer, Artillery and Amunition, and posted in the Sinnekes Country on the Lake Cadaraqui, at a proper harbour for building of Vessells with barracks to be erected for the men, who are to be supply'd with provisions for a time only: That there be then built two or three vessells of superior strength to those of the French, on board whereof a few sailors, and a sufficient number of Souldiers being put, with proper officers, it is imagined we may easily take or destroy the French vessells, and then attack their Forts on the Lake, and for ever disable them from annoying us. By this means our Five nations will live unmolested, and even those Indians over whom the French have a very great power, upon hearing of our conquest, will submitt and trade with us, and our own Indians assist in demolishing the French Forts. When once we are masters of the Lake, they will no longer trade with the Enemy, which must greatly incourage our woolen manufactory.

The climate in these parts, is temperate and the lands fertile, and in two or three years time from going hither, provisions of all kinds may be raised, and no sooner are the Troops setled than Farmers will go under their cover, to dwell in that Country and cultivate it—

If something is not soon done to put a stop to the French encroachments and intrigues among our Indians, this province must certainly become a prey to the Enemy, tho' nothing

has or shall be wanting in me to protect it, or to animate the people to vigour and courage against all events.

I have further to add that the French at Canada in November last were making a great number of snow shoes, and that soon after a party of them and their Indians (to the number of nine hundred) were to march to the eastward (as it was imagined) to attack some English settlement, of which I immediately acquainted the respective Governts that way, and by a letter which I received this day from the Commanding Officer at Oswego, I am informed that he had intelligence by one of our out scouts, just then returned from Cadaraqui, that 1500 French and 100 Indians went from Canada in December last in order to surprise some English settlement near the mouth of the River St Lawrence. The outscouts further say that only in the spring much Warlike stores were to be brought to Cadaraqui, which may be intended against Oswego; and that the openess of the weather had hindred their paying that place a visit this winter.

I have also received a letter of 12 Febry from the Commanding Officer of General Oglethorps Regiment at Georgia in answer to the information I gave him of this intended expedition, a copy of which I have inclosed, together with the Councils address to my speech.

I find the present numbers and Force in Canada consist of Militia, Indians and regular troops; The fortifications I can have no good account of, nobody knowing any thing of that kind, that have been there from hence or Albany. The number of Militia upon the river St Lawrence, some reckon ten, others thirteen thousand able to bear arms. The regular troops, are thirty two companys of 30 men each, but not half full, so that they do not reckon the number of effective men can exceed 500. but the great number of Officers in them are of great service towards disciplining their militia. Their Indians fit to carry arms, are, the Cacknawages about 230. Conessetagoes 60, Attenkins 30. Neperinks 30. Missiquecks 40. Abenaquis at St Francoi 90. Obinacks at Becancourt 50. Hurons at Lorette 40. in all about 570, besides allies at great distances, but those here mentioned are upon or near the River.

I have often represented to the Board of Admiralty that our coasts are greatly exposed for want of the usual station ships, but hitherto without effect, and should the Enemy attack us by sea we have no ship of force to repel them, our Privateers (tho many) being all out a cruising.—

I thought it my duty to acquaint Your Grace with what has occurred to me for His Majtys service, and the safety of his province, and what I have mentioned for that end is intirely submitted to Your Grace.

I am with the greatest regard
My Lord
Your Graces most humble and
most obedient servant
(signed). G. Clinton.

New York 27 March 1745

His Grace the Duke of Newcastle.

Lords of Trade to Governor Clinton.

[New-York Entries, M., p. 275.]

To George Clinton Esq^{r} Gov^{r} of New York.

S^{r}

Since our letter to you of the 27th Jan^{ry} 174$\frac{3}{4}$ we have received Yours of the 14th of May 5th of June and 9th Oct^{r} 1744 and of the 2^{d} of Jan^{ry} 1744–5 together with the several Papers transmitted therewith.

In the last of these you complain of not having received more than one letter from us since you have resided in Your Government. In answer to this We must inform you that this Board never fails to make an Immediate Return to all Letters from Governors, where the subject appears to require Dispatch.

With respect to the supplying of Vacancies in Council the Governors of His Majesty's Colonys are directed from time to time to send over to this Board Lists of persons qualified for that office & the Board have always a proper Regard to such Recommendations, but they do not apprehend themselves to be confined by the Governor's Recommendations if any other person shall appear to them properly qualified to discharge this Trust.

We are surprized to hear that the Appointment of M^{r} Rutherford has (as Your expression is) greatly alarmed the people, but unless there be any objections to his character or Conduct, of which you have not given us the least account We see no Reason why the people should not dutifully acquiesce in His Majesty's Appointment.

We have in complyance with Your request recommended M^{r} Renselaer to succeed M^{r} Clark and should have done it sooner had we not, out of a proper regard to the long services of the Gentleman being willing to see whether he might not be induced to depart from the Resolution he had perhaps too hastily taken, of quitting his seat in Council. But as to what you mention concerning M^{r} Renselaer's expectations that his warrants should bear equal date of the Gentlemen some time since appointed, We must acquaint you we know no precedent for any such Proceeding.

We approve the Care you have taken in recommending to the Assembly to provide for the security of the province and wish they had seconded Your Good Intentions better than they seem to have done by Your letters of the 5th of June and of the 9th of October 1744.

In this last mentioned letter you inform us that you have renewed the peace with the Indians and persuaded them to act against the French; We congratulate you upon this event and should have been glad to have known what sense they shewed of his Majesty's goodness on occasion of the Presents he was pleased to send them.

We have transmitted that part of Your letter which relates to the Dutys demanded by the Custom House Officers upon Prize Goods (mention'd in the same Letter) to the Comm^{rs} of

the Customs that they might send proper Directions to their Officers upon that head. So we bid you heartily farewell, and are

Your very loving Friends
and humble Servants
MONSON
M. BLADEN
R. PLUMER
J. PITT.

Whitehall
Aprill 5th 1745

P. S. July 17th Since the signing this letter we have just receed Yours of the 13th May last and have at Your Desire recommended Mr Bayard to be of the Council.

MONSON.

P. S. Whereas doubts have arisen in some of his Majesty's Plantations in America whether any of his Majesty's natural born subjects taken on board any of the Enemy's Ships committing hostilities against his Majesty's Subjects and thereby guilty of high treason may be tried as Pirates by the Courts of Admiralty in the several plantations, we send you enclos'd an Act entituled "An Act to amend an Act made in the seventh year of the reign of King William "the third entituled an Act for the more effectual Suppression of Piracy" for Your conduct therein.

MONSON.

Governor Clinton to the Lords of Trade.

[New-York Bundle, Gg., p. 144.]

My Lords

Since I had the honour of writing to your Lordships, I have been obliged for many reasons (by advice of His Majesty's Council) to dissolve the General Assembly of this Province; and as I propose very soon to send a narrative of their whole Proceedings, in justification of my conduct upon this occasion, I shall only trouble your Lordships now with the Speech I made to them at the Dissolution, which I should rather chose to have avoided at this Critical Conjuncture, had there been the least hopes left of their promoting His Majesty's service or the safety of the Province, I have the honour to Govern.

Lieut Governour Clarke setts out on Fryday next for Boston in his way for England, pursuant to my leave, therefore I hope my recommendation in favour of Mr Stephen Bayard to succeed him in Council, will take place as Mr Renselaer is dead, of which I acquaint your Lordships the 13th May last. I am with very great Respect

My Lords

Your Lordships most
obedient humble servt
G. CLINTON.

New York
10th June 1745

The Rt Honble the Lords of Trade & Plantations.

Lords of Trade to Governor Clinton.

[New-York Entries, M. p. 285]

June 28th 1745.

To George Clinton Esqr Govr of New York.

Sr

Since our letter to you dated the 5th of April last (a Duplicate whereof is herewith enclosed) We have received a letter from Mour de Gersdorff in behalf of himself and the Moravian Brethren in the Province of New York, complaining of an Act passed there in September last, entituled "An Act for securing his Majesty's Government of New York" by which as he says these Bretheren there will be very much oppressed, We have likewise had some discourse with him and two of their Ministers that have attended us on that subject, and having at their request promised to write to you for further Information in the said affair, We do accordingly desire you would inform us in Your next what the behaviour of these Moravians has been in Yr province and whether any ill practices on their part gave occasion to there being inserted by name in the said Act.

We must here observe to you that we have rec'd the above Act with 24 others transmitted to us by the Secretary of the Province without any letter from him or any observations upon the said Acts from you wch by yr Instructions you are directed to send us with them. So we bid you heartily farewell & are

Your very loving Friends
and humble Servants
Monson
M. Bladen
R. Plumer
J. Pitt
B. Leveson Gower
Ja. Brudenell.

P. S.

Whereas doubts have arisen in some of his Majesty's Plantations in America whether any of His Majesty's Natural born subjects taken on board any of the Enemy's Ships committing hostilities against His Majesty's Subjects and thereby guilty of high treason may be try'd as Pirates by the Courts of Admirality in the several plantations, We send you enclosed An Act entituled "An Act to amend an Act made in the seventh year of the Reign of King William the third entituled an Act for the more effectual suppression of Piracy" for Your conduct therein.

Monson.

Governor Clinton to the Lords of Trade.

[New-York Bundle, Gg., p. 146.]

My Lords

I have the honour of your Lordships Favour of the 28th August last, with a Copy of His Majesty's Proclamation to the Governour of Jamaica, promising encouragement to such persons

being Protestants, as shall be willing to settle in the Island of Ratan, and pursuant to your Lordships Directions, I have caused the said encouragements to be published in the respective Towns & Countys of this Province.

The Government of the Massachusets Bay having received information, that the Garrison of Louisburg was in a very weak condition, and that pursuant to a Petition preferred by a considerable number of the Inhabitants of that Province to the General Court there, Representing the Importance of the Reduction of that Place to the Obedience of His Majesty, It was reported to be the opinion of the Committee of both Houses, as incumbent upon that Government to attempt the reduction thereof.

Upon this Head, Governour Shirley wrote to me the 29th January last, and urged very pressingly, that this Province should furnish its respective Quota towards carrying on this expedition, as we were equally concerned in Duty and Interest to join them in so laudable a design.

Whereupon conceiving this Enterprize was calculated in all respects for His Majesty's service, and the Interest of the Northern Colonys, I called together the Assembly of this Province, But they not meeting according to time, I prorogued them for a week, and then made the inclosed Speech, in full confidence they would immediately provide for that service, in such manner, as became every subject, who had His Majesty's Interest at heart. They have been now above twelve days deliberating thereon, and as yet come to no final Resolution with respect to their Quota, which I am the more surprized at, as this Province may have a greater advantage by this Conquest, than any upon the Continent and as it would in all probability facilitate the Reduction of Canada, from which Quarter we are under daily fears of being attacked by the French, who have lately (by their Emissarys) caused a very great commotion amongst our Indians, in making them believe we designed to cut them off, with this notion they were so greatly alarmed, that the Mohawks & Seneckes (the Principal Nations) were formed into a Body to destroy our Settlements, and had not the Commissioners of Indian Affairs at Albany, been very alert & diligent to quell this Report, and remove their Fears, in all likelyhood, we should have lost our Indians.

The French have considerably increased their settlements on our backs, and almost Inhanced the Indian Trade, by means of the Lake Cadaraqui, whereon they have two or three Vessells of 50 or 60 Tons with six or eight swivle guns to each, and manned with 12 or 15 men, by which they carry on their Trade. They have also built Forts and Trading Houses ranging along the Lake in the Seneckes Country (contrary to the Faith of Treatys) whereby they hold their power over all the Indian Nations, except those dependant on our Provinces, and even among these they have, and do daily gain too great an Influence.

To prevent these encroachments, it is absolutely necessary to establish a Harbour well fortifyed on this Lake, and build a few Vessells of superior strength to theirs, and settle regular Troops in the Country, to be raised & maintained from home, in barracks to be built for them, with a skillfull Engineer & Gunners, nothing being more wanted, for repairing and modelling, as well as defending our fortifications, or erecting such others, as may be thought needfull: For the Province will never come into such an expence, at so great a distance from their settlements, thô danger stares them in the face.

Under these circumstances, I am persuaded it will plainly appear to your Lordships, how highly incumbent it is upon the Assembly to make immediate Provision for the services I have recommended; but should they fail therein, I have great reason to fear this Province will

become a Prey to the Enemy, unless the Legislature at home does take into their consideration our weak condition, and provide for its safety accordingly, in the mean time nothing has or shall be wanting in me to animate the People here to vigour & courage ag^{t} all events.

I have farther to add that the French at Canada, in November last were making a great number of Snow Shoes, and that soon after, a Party of French & Indians to the number of 900 were to march to the Eastward, in order, (as it was imagined) to attack some English Settlement, of which I immediately acquainted the respective Governments that way; and by a letter which I receiv'd this day from the Commanding Officer at Oswego dated the 7th inst, he informs me, that by one of our Scouts just then returned from Cadaraqui, that 1500 French & 100 Indians went from Canada in December last in order to surprize some English settlements near the Mouth of the River St. Lawrence, the Scout says further that early in the Spring much warlike stores are to be brought to Quadraqui, which he says may be intended against Oswego, and that the openess of the weather have hindred them from paying that place a visit this winter.

I find the present number & force in Canada consist of Militia, Indians and regular Troops, The Fortifications I can have no good account of, no body knowing any thing of that kind, that have been there from hence or Albany. The numbers of Militia upon the River St. Lawrence some reckon ten, others thirteen thousand able to bear Arms. The Regular Troops are thirty two Companies of thirty men each, but not half full, so that they do not reckon the number of effective men can exceed 500, but the great number of Officers in them, are of great service towards disciplining their Militia. Their Indians fit to carry Arms are the Cacknawages about 230, Conessetagoes 60, Altenkins 30, Nepesinks 40, Missequeks 30 Abenaquis at St. Francoi 90, Olinacks at Becuncourt 50, Hurons at Lorette 40, In all about 570, besides Allies at great distances; but those here mentioned are upon or near the River.

I have just receiv'd a letter of the 12th February from the Commanding Officer of General Oglethorp's Reg^{t} at Georgia, in answer to the Information I gave him of the intended Motions of the French a Copy of which I have inclosed, together with the Councils Address to my Speech

I am with very great regards
My Lords
Your Lords^{ps} most humble
and obedient servant
G. Clinton

New York
25 July 1745

The R^{t} Hon^{ble} the Lords Com^{rs} of Trade & Plantations.

Governor Clinton to the Lords of Trade.

[New-York Bundle, Gg., p. 147.]

My Lords

I take the Liberty to inclose Duplicates of my last letter of 19th Jan^{ry} & 13th March, since which I have been obliged (by advice of His Majesty's Council) to dissolve the Assembly,

from whom I have borne many provocations, with great calmness, considering how critical it was at this time to be without one, during the intermediate space for calling another. But I found it was absolutely needfull to try all ways to bring them to a just sense of their Duty to His Majesty, to whose service they in general show'd the greatest disregard, by not putting the Province into a proper posture of defence, and securing the Frontiers by Sea & Land ag^{t} the Enemy, notwithstanding I laid before them His Majesty's repeated orders on that head.

The New Assembly seems to be of a better Disposition to do Business, and immediately voted £5000 towards the Expedition ag^{t} Cape Breton, to which the former only voted £3000. Yet they have neglected a very material Point at their late meeting, in not making Provision for my having an annual interview with the Six Nations of Indians during the War, in order to make them Presents to keep them in their fidelity; and the consequence of that neglect is such, that most of the Indians are gone to Canada, notwithstanding all my efforts to stop them, and are now become so divided in their opinion with respect to their attachment to the British Interest, that I am apprehensive an Indian War will soon be commenced at the instigation of the French, and am sorry to tell your Lordships, that I have certain Intelligence of the 17th instant from the Commissioners of Indian affairs at Albany, as well as from the Governour of Connecticut, that the French Indians have began to scalp our white people upon the Borders of New England, and have murthered two men in a most barbarous manner, by plucking out their Eyes, taking out their Hearts, & the Crowns off their Heads; and I expect by the next News to hear these Savages have committed the like cruelty in this Province, which might have been prevented had the Assembly made provision for my having an Interview with the Indians this summer, and which I so earnestly recommended to them, as your Lordships may observe by the Speeches I have inclosed, (with the proceedings of the Assembly) well knowing the Danger We must be exposed to, if they desert us, and indeed I have but poor hopes of retaining them, since they are disappointed of meeting me according to their expectations, which I could not do without Presents.

It has been repeated to me again by the Council & General Assembly to apply to your Lordships, that you would be pleased to move His Majesty to order an Engineer to be sent & reside in this Province, where nothing is more wanting, than a skillfull man, to repair & put our Fortifications in a proper state of defence, especially in the Frontiers, as well as to build such others regular, that may be thought necessary, for great sums have been exhausted to little purpose on those services, for want of a person thoroughly versed in that Art,

I am with very great respect
My Lords
Your Lordships most humble
and obedient Servant
G. Clinton.

New York
25 July 1745

The R^{t} Hon^{ble} the Lords of Trade & Plantations.

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) No. 9, p. 227.]

My Lord.

I take the liberty to inclose duplicates of my last letters of the 19th June and 13th March since which I have been obliged (by advice of His Majtys Council) to dissolve the Assembly, from whom I had borne many provocations with great calmness, considering how critical it was at this time to be without one, during the intermediate space for calling another; but I found it was absolutely needfull to try all ways to bring them to a just sence of their duty to His Majty, to whose service, they, in general showed the greatest disregard, by not putting the province into a proper posture of defence, and securing the frontiers by sea and land against the Enemy, notwithstanding I laid before them His Majtys repeated orders on that head.

The new Assembly seem to be of a better disposition to do business, and immediately voted £5000. towards the expedition against Cape Breton, to which the former only voted £3000; yet they have neglected a very material point at their last meeting, in not making provision for my having an annual interview with the Six nations of Indians, during the war, in order to make them presents, to keep them in their fidelity, and the consequence of that neglect, is such, that most of the Indians are gone to Canada notwithstanding all my efforts to stop them, and are now become so divided in their opinion with respect to their attachments to the British interest, that I am apprehensive an Indian war will soon be commenced, at the instigation of the French, and am sorry to tell Your Grace, that I have certain intelligence of the 17th inst: from the Commissioners of Indian affairs at Albany, as well as from the Governour of Connecticut, that the French Indians have began to scalp our white people on the boarders of New England, and have murthered two men in a most barbarous manner, by plucking out their eyes, taking out their hearts and the crowns off their heads, and I expect by the next news to hear those savages have committed the like cruelty in this province, which might have been prevented, had the Assembly made provision for my having an interview with the Indians this summer; and which I so earnestly recommended to them, as Your Grace may observe by the speeches I have inclosed, well knowing the danger we must be exposed to, if they desert us, and indeed I have but poor hopes of retaining them, since they are disappointed of meeting me according to the expectations, which I could not do without presents.

Since I had the honour of writing to Your Grace, I have received His Majtys orders and instrustions, signified by Your Grace, touching the marine Treaty with the Dutch; as also with respect to the service Commodore Warren is upon, to all which I have, and shall constantly pay the greatest regard in my power.

It has been repeated to me again by the Council and General Assembly, to apply to Your Grace, that you would be pleased to move His Majty to order an Engeneer to be sent and reside in this province, where nothing is more wanting, than a skillfull man to repair, and put our fortifications, in a proper state of defence, especially on the Frontiers, as well as build such

others regular, that may be thought necessary, for great sums have been exhausted to little purpose on those services, for want of a person thoroughly versed in that art.

I am with the greatest respect
My Lord.
Your Grace's most humble and
most obedient servant
(signed). G. CLINTON.

New York 25th July
1745.

His Grace the Duke of Newcastle.

Governor Clinton to the Duke of Newcastle.

[New-York Papers, (S. P. O.) No. 9, p. 254.]

My Lord.

Upon the first information I received of the late intended expedition against Cape Bretone (which was hinted to me by Govern[r] Shirley) I presently shewed a cheerful spiritt to promote that service and urged, the concurrance of this province to the General Assembly with all the zeal and prevailing arguments in my power, conceiving it to be an enterprize (if carried) of the utmost consequence to the Northern Colonys, and in particular to this: When I found I could not obtain any assistance in men, and but a trifle in money from the Assembly in aid thereof, I was obliged for that and many other reasons set forth in my speech to dissolve them, in hopes I should avail thereby, with another set of men, more ready to promote His Maj[ty] service. During that interval, I sent ten pieces of Ordinance of 18 pounders with carriages ettc to Boston without which they could not have undertaken the affair, and I have the pleasure to tell Your Grace, those very cannon greatly contributed to the reduction of Louisbourg for which I received the thanks of the General Court of the Massachusetts Bay in a publick manner (tho' I could hardly get my own to pay for the transportation of them) as well as M[r] Shirley's acknowledgements in his speech to them, for this instance of my care in taking such an intimate part in that enterprize.

Upon M[r] Shirley's representation afterwards that the Troops were greatly in want of provisions and not having it in my power to procure any at the publick charge, I set on foot a subscription and raised £2000. for that end (to which I largely contributed myself:) and immediately embarked all sorts of provisions to that value for Louisbourg, for which I also had a vote of thanks from the Govern[t] of the Massachusetts.

Afterwards M[r] Shirley applied to me for a supply of gunpowder for the service of the garrison when reduced, which I accordingly purchased at my own charge to the value of £900, and transported it thither and since have bought upon my own credit £2,000 worth of cloathing to paliate the discontents of the Troops retained there till relieved from home, and now by M[r] Shirley's desire I am buying up all sorts of bedding in which they are in the greatest want of, at my own charge again, without any manner of advantage to myself, but rather otherwise by non payment of my bills drawn upon the treasurer here, which I cannot receive.

I must own, these are but poor instances of my affections to His Majesty when I consider how incumbent it is upon me, as well as upon his subjects in this province to promote his service for the many favours conferred upon them, but all that I could possibly obtain from another Assembly when convened was £5000.—this currency towards the expence of the Boston expedition, without any other aid whatever, notwithstanding I have laid before them his Maj$^{ty's}$ instructions from time to time signifying, that I should give all necessary assistance to M^{r} Warren, in the service he was upon, and the maintenance of the common cause.

This backwardness of the people's loyalty proceeds chiefly from the restraint they lay a Governour under, by giving him a salary; and although I can not subsist without one, I have never paid that regard therto, as to neglect my duty to His Maj^{ty} should I go without it; but it can not be thought, I can with that spirit oblige them to promote his service, as if independent of that favour, of which they are become too sensible. They are jealous of the power of the Crown, and constantly encroaching upon its prerogative by nominating Officers and appointing Commissioners in their publick concerns, without my knowledge and tacking such clauses, as cannot be passed by His Majesty's Council, to their support Bill, as a means of my consenting thereto, or having no salary, which are such absurdities that I can never accede to; and unless the Legislature at home does take cognizance of their conduct, and enjoin them to a more submissive behaviour, or make a Governour independent, it can never be otherwise, since neither dissolutions, nor fair means, can produce such effects, as are wanted for His Majestys interest—

I have the ambition to say, no Governour before me has gained more upon the affections of the people than myself, who confess I ask for nothing but for the wellfare of the Country and its safety intirely abstracted from all gains to myself, and altho' their members are sensible thereof, yet for the most part, they are of such narrow spirits, as not to comply with any reasonable demand for the publick good.

I have constantly transmitted to your Grace all my proceedings since I had the honour to command here, which I have the pleasure to hear has been approved; and as I have been assured Gov^{r} Shirley has represented not only to your Grace, but to the Ministry my readiness and unwearied vigilance, upon all occasions for His Maj$^{ty's}$ service and particularly for the reduction of Louisbourg; I was in hopes I should have been honoured with His Royall approbation therein, signifyed by Your Grace, it being an unspeakeable satisfaction to know, that I have done my duty, tho not with the success I could have wished.

I have lately been to make a voyage to Albany to meet the Six nations of Indians, who were likely to revolt from their engagements to His Maj^{ty}: At the publick conference there attended Commissioners from the Massachusetts Bay, Connecticut and Pensilvania with intent to renew and confirm with me their respective Treatys with the Six nations, and during my stay there the Commissioners of the Massachusetts demanded of me the Assistance of those nations to war against the French Indians in their Govern^{t} whereby the Frontiers of this province would have been exposed to the insults of the French and probably all our settlers destroyed, as we have no regular Forts built to repell them, whereupon I consulted with such of His Maj^{tys} Council then with me, who were of opinion it was more advisable to retain the Indians in their own Castles till I had acquainted the Assembly therewith. and have since represented to them the necessity of raising supplyes for the preservation of the frontiers, and beg leave to refer Your Grace to my transactions at large with the Indians at this conference which I have sent to Your Grace by this opportunity.—

I am now endeavouring to set on foot a scheme for the reduction of a garrison at Crown point posessed by the French in the Indian Country, which is a very great annoyance to our frontiers; but as the Assembly is so extremely backward in promoting any publick good, I am affraid they will not contribute to the charge of carrying it on, and indeed while so many dutch prevail in this province, I can have but little hopes of succeeding in any enterprise, tho' ever so well concerted, unless they are obliged to do their duty more chearfully by a superior power—Crown point is a fort about 160 miles from Albany, about 160 miles from another strong Fort the French has called Monreal which is half way to Quebeck from Crown point, I have sent six pieces of Cannon of 18 pounders, with carriages and every thing else necessary to Albany excepting powder, which I have desired the Assembly to supply me with as if those guns and Powder was only for the security of Albany if it should be attacked, and despairing of success, I sent to the speaker this morning, and told him I was very much surprised, the house paid no greater regard to His Majᵗʸˢ instructions, I had laid before them, as not to give an answer in any shape; that I had great reason to believe as I had often represented to them the French and Indians had some design on our frontiers, and if we did not something on our part to prevent it by attacking them first, that I had reason to believe Albany would be surprised this winter, and I desired a quantity of powder should be immediately sent up, which at last they agreed to; I don't know how to intrude any longer on your Graces patience, but have only one thing more to add, which is, they are all Dutch at Albany as most of the province is, and was in hopes as Dutchmen to have continued a neutrality with the French Indians, as they did last war and even supplyed the French Indians with ammunition for their skins, who went directly from Albany to murther in a most cruel and barbarous manner the People of New England who was at war with them—The Commissioners from Massachusets Bay in our debates actually taxed Councillor Livingston with it, but he was too deeply concerned to acknowledge the remembrence, but only said it was a long time ago, and I had now great reason to believe, both, he and his son was now concerned in taking the lands away from the Indians, which they complained off. It is a vile family—I inclose this to Lord Lincoln desiring he would take an opportunity of delivering this my private letter when Your Grace shall be at leasure, and hope for forgiveness taking up so much time—I am with the greatest of respect—My Lord

Your Graces most obedient and
most humble servant—
(signed). G. Clinton

New York 18. Novʳ
1745.

His Grace the Duke of Newcastle.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 153.]

My Lords,

I had the honour of writing to Your Lordᵖᵖˢ the 25. July last, with a duplicate of one of the 27. of March inclosed by the Antelope from hence, which I hear is arrived, and to which I

refer, and on the 26th of September following (1745) I transmitted the minutes of Council to the 10th July, by the opportunity of some Man-of War from Cape Breton, which I hope will also arrive safe. —

Since which, I have been honoured with Your Lordpps of the 25th April last, after my return from Albany, where I was obliged to make a voyage to attend an interview with the Six Nations of Indians (tho' late in the season) in order to establish them more warmly in the British Interest, from which, they were likely to revolt, through the influence and artifice of the French.

At the publick conference there attended Cômissrs from the Massachusetts Bay, Connecticut and Pennsylvania, with intent to renew and confirm with me (in behalf of his Majesty) their respective Treatys with the Six Nations, and during my stay there, the Commissrs from the Massachusets Bay demanded of me the assistance of those Nations to War against the French Indians in their Governt, whereby the Frontiers of this Province would have been left naked and exposed to the insults of the Enemy, and all the out settlers stript of succour as we have not a regular strength to repel an Enemy, nor a sufficient number of Garrisons to protect the Inhabitants should they be attacked. Whereupon I advised with such of His Majty's Council then with me who were of opinion, that it was of very dangerous consequence to suffer the Indians to depart this Province, till I had informed the Assembly with the nature of the Demand, however willing I might be to assist his Majesties Subjects in New England, and shall refer Your Lordpps to my transactions at large with the Indians at this conference, and what passed between the Commissioners from the Massachusets Bay and me upon the occasion, which I have inclosed, and hope for your Lordships approbation therein.—

Since my return from Albany I have again recommended to the Assembly (now sitting) the necessity of their raising supplys for building of Forts to cover the Frontiers of this Province, and more particularly now, as the Indians by this Treaty have engaged themselves to make War upon the French Indians in two months after, unless they can obtain satisfaction in that time for a Breach of a Treaty of Neutrality entred into between them, and now become void, by their committing hostilities upon His Majty's subjects in New England, to which the Assembly have not paid the least attention.

I am extreamly concerned to see the dispatch of publick business so greatly neglected by the Assembly of this Province, notwithstanding my frequent importunityes and recommendations on that head, and I am persuaded while they are at the charge of maintaining a Governour, it never will be otherwise, tho' I have it to say none ever gained more esteem than myself, thro' a candid behaviour to them. They are selfish, and jealous of the power of the Crown, and of such levelling principles, that they are constantly attacking its prerogative, so that nothing but Govr's independence can bring them to a just sence of their duty to His Majesty and his service. I have taken unwearied pains with them to that end, tho hitherto to little purpose, and I find that neither dissolutions or fair means can produce from them such Effects as will tend to a publick good or their own preservation. They will neither act for themselves or assist their neighbours, allthough I have constantly laid before them His Majty's Royal orders and Instructions, transmitted to me from time to time since the Commencement of the War, as also the frequent applications made to me by Govr Shirley and Mr Warren for assistance of men, provisions and money in maintenance of the late expedition agst Cape Breton, and for the protection of Louisbourg since reduced to the obedience of His Majesty. To all which, they have shewn no greater regard, than voting 5000 pounds to that service (which is not likely to

be paid) without any other assistance, and even that was more, than I well could expect, as few but hirelings have a seat in the Assembly who protract time for the sake of their wages, at a great expence to the Province, without contributing any thing material for its welfare, credit or safety.

It is now become clear to me, that unless the Legislature at home does take cognizance of their disobedience and indolence, and enjoin them to a more ready complyance to His Majᵗʸ's Royal orders and Instructions, I have but poor hopes of succeeding in any affair, tho' ever so well concerted for His Majesty's service and the security of the Province.

I am obliged to Your Lordᵖᵖˢ for the Regard you have paid to my recommendations of the Councillors, and as Mʳ Renselaer is dead since I recommended him, I hope Mʳ Bayard will be appointed to succeed according to my application to Your Lordᵖᵖ the 13 May last.

I have been endeavouring to set on foot a scheme and to engage the Province therein for the reduction of a Fort at Crown point, possessd by the French in the Indian Country, which is a very great annoyance to our Frontiers, and had in pursuance thereof sent up to Albany six pieces of Cannon of 18 pounders with carriages, and a proportion of powder, Ball, Match and other Implements. It is well they are gone, for to my great concern (and what I have represented to the Assembly would be our Fate) I received an Account the 19ᵗʰ inst: by express from Albany, that a party of French and their Indians had cut off a settlement in this province called Saragtoge, about fifty miles from Albany, and that about twenty houses with a Fort (which the publick would not repair) were burned to ashes, thirty persons killed and scalped, and about sixty taken prisoners.

Upon receipt of this news I sent the Assembly another Message who have paid but little regard thereto except their voting an inconsiderable sum towards building a small Fort in the Frontiers to be garrisoned with some Militia, and have pleaded an adjournment for a fortnight upon account of the small Pox prevailing in this City, and that they may return home to settle their affairs, and such of them as are Colonells of Militia to make proper regulations in their Regiments for the defence of the respective Countys, as we hear the Enemy is still in the Country; to which I was advised by my Council to consent.

In the mean time I have done every thing in my power for His Majesty's service, and have detached two of His Majᵗʸ's company's of Fuzileers to Albany, and given orders to march detachments of the Militia as a further security to that City; I have also given orders to the Six Nations of Indians to take up the hatchet against the Enemy immediately, and as they have expressed themselves thankful for His Majᵗʸ's presents, I hope they will Act for his interest, but unless the Assembly will come into ways and means to join our neighbours to attack the Enemy in their settlements, I cannot answer for the safety of this Province under its present circumstances. I have discharged my duty, and refer Your Lordᵖᵖˢ to the proceedings of the Assembly for what they have done, which I have inclosed. I am with very great respect

My Lords,

Your Lordᵖᵖˢ most obedient
humble servant.
G. Clinton.

New York
30 Novʳ 1745.

Conference between Commissioners of the Colonies and the Indians.

[New-York Papers, Bundle Gg., No. 153 / 154.]

Minutes of the Council at Albany, at a public interview and conference with the Six Nations ettc.

At his Excellency's residence at Albany the 5th day of October 1745.

PRESENT—His Excellcy the Honorble George Clinton Esqre Captain General and Govr in Chief in and over the Province of New York and territories thereon depending in America, Vice Admiral of the same and vice Admiral of the Red squadron of His Majesty's Fleet.

Phillip Livingston
Daniel Horsmanden
Joseph Murray
John Rutherford
} Esqrs of the Council.

Yesterday being the day appointed by His Excellcy for a publick Interview and conference with the Six Nations of Indians at this Place, vizt The Maquas, Oneydes, Onondages, Sinnekes, Cayouges and Tuscarores, many Indians of these Nations (excepting the Sinnekes) arrived in Town late in the evening. His Excellcy was acquainted by Jacobus Bleeker the publick Interpreter, with the arrival of four hundred sixty four of the said Indians, and that the Sachims of the said Tribes desired to know what time his Excellcy would please to appoint for their waiting upon him, to welcome him to Albany, His Excellcy appointed this evening at six o'clock, and several Sachims of the respective Tribes coming accordingly to the number of between forty and fifty: They acquainted his Excellcy with the reason of the Sennekes absence; that this Nation had been visited with an epidemical sickness, which had swept away great numbers of them, and that the rest were by means of that Calamity prevented travelling.

After the usual salutes, His Excellcy presented them with some black Strouds (according to the ceremony used in such cases) to condole the deaths of several of the Sachims of the Six Nations, since the last interview, then they were served [round] with a glass of Rum to drink his Majty's health and his Excellcy's and Gentlemen present, prosperity to the Province ettc. His Excellency told them that he would speak to them in publick in a few days, that he expected Commissrs from some of the neighbouring Governts who were not yet arrived and who were likewise to treat with them at this time; in the interim, his Excellcy would take care to provide for their refreshment and comfortable subsistance — and then the Indians withdrew.

At a Council held at his Excellcys residence in the City of Albany the sixth day of Octr 1745.

PRESENT—His Excellency the Honble George Clinton Esqre
Mr Livingston, MrHorsmanden, Mr Murray and Captn Rutherford.

The Commissrs from the respective Governts of the Massachusets Bay, Connecticut and Pennsylvania having attended his Excellcy and produced to him their credentials from their

respective Governt^s viz^t John Stoddard, Jacob Wendell [Samuel] Wells, and [Thomas] Hutchinson Esq^rs for the Province of the Massachusets Bay; Roger Woolcot Esq^re Deputy Gov^r of the Colony of Connecticut and Coll: Stanly Commiss^rs for the said Colony; and Thomas Lawrance, John Kinsey and Isaac Norris Esq^rs for the Province of Pennsilvania; which Credentials were severally laid before the Council. His Excell^cy thought it expedient to appoint two Gentlemen of the Council to confer with the said Commissioners touching such matters as should be thought proper for his Excell^cy to offer in his speech to the Six Nations of Indians at the publick interview, and the manner in which the same should be conducted and was pleased to nominate M^r Horsmanden and M^r Murray a Committee for that purpose.

Ordered: that it be an instruction to the said Council[1] to inquire privately into the causes of the uneasiness amongst the Maquas this last Winter, and touching all complaints they may have to make his Excell^cy & report the same.

Read some heads drawn up by the Commiss^rs of Indian affairs pursuant to His Excell^cy^s directions touching what to be proposed to the Indians at the Conference.

At a Conference, between the Committee of the Council and the Commiss^rs from the neighbouring Governt^s had at Albany the seventh day of October 1745.

PRESENT—	Daniel Horsmanden Joseph Murray	Esq^rs members of the Council of New York
	John Stoddard Jacob Wendell [Samuel] Wells [Thomas] Hutchinson	Esq^rs Commissioners from the Province of the Massachusets Bay.
	Roger Woolcot Stanly	Esq^rs Commiss^rs from the Colony of Connecticut.
	Thomas Lawrence John Kinsey Isaac Norris	Esq^rs Commiss^rs from Pennsilvania

The heads of matter proposed to be offered in his Excell^cy^s speech to the Six Nations at the publick conference prepared by the Commiss^rs of Indian affairs at Albany Read.

It was moved by the Council of New York whether it were not most adviseable for His Excellency to speak to the Indians in General, on behalf of the several Commiss^rs for the other Governt^s now convened here, as well as for this province, for that this method would tend to show the Indians the happy agreement and union of these several Governt^s, and their resolutions for their carrying on the war in conjunction, and unitedly to support and prosecute the interest and common cause of all which might have a very good effect with them, they well knowing the strength & abilities of the several Colonies, whose united force they must esteem, is sufficient to strike a Terror into the Enemy; and if the Indians should be wavering in their inclinations with regard to what part they should take in the war at this time between the English and French, they may from the apprehension of such an Union, be determined to join with us as the strongest side. With these sentiments the Commiss^rs for the Massachusets

[1] Committee. *New-York Council Minutes*, XXL, 46. — ED.

& Connecticut intirely concurred and in general the Commiss^rs for Pennsilvania; but a majority of the latter intimated, that as they were aware that considering the present circumstance of affairs with respect to the war, something would probably be said by his Excell^cy to the Indians upon that occasion which would not altogether be aggreable to their Religious sentiments (two of these Commiss^rs were Quakers) They therefore should chuse to speak separately and tho' they should do so they would be careful to pursue the main intention of this interview, by avoiding to say any thing wh^ch might clash or interfere with what his Excell^cy should say to them, but the rather to enforce and give aid to it by observing to them the union of these several Colonys and their strength as subjects of the same prince who would resent any injury done to any one of them as done to the whole. Moreover, that what they should say concerning the General Interest they would previously lay before his Excell^cy. And further, that they had at this time some matters at private concern relative only to the province of Pennsilvania which they had to discuss with the Six Nations which made it necessary for those Commissioners to speak with them separately.

As to that part of the heads for his Excell^cy's speech prepared by the Commissioners of Indian affairs which proposed, after informing the Six Nations of the infraction of the Treaty of neutrality concluded between them and the French Indians with regard to the present war, by hostilitys lately committed by the last mentioned Indians, by murdering several of his Majestys subjects on the Borders of New England; That the hatchet should be offered to the Six Nations to strike against the French and their Indians, upon his Excell^cys commands signifyed to them for that purpose, in case that the Six Nations could not obtain satisfaction from those French Indians concerned in the said hostilitys and reasonable assurances of their observing inviolably the neutrality for the future. It was thereupon observed by the Massachusets Commiss^rs that the Six Nations had in effect accepted of the Hatchet by the last treaty upon condition to strike with it against the French and their Indians in case of any infraction made by them of the neutrality, and since hostilitys had been committed by them, The Six Nations were bound by that treaty to join immediately in the war with us against the French and their Indians. And therefore if the Six Nations were inclined rather in the first place to interpose their endeavours to obtain satisfaction for their breach & assurances from those Indians offending in this instance of their preserving inviolably a strickt neutrality for the future, this was matter which (as the case stood) would come more properly from the Six Nations themselves; which reasoning being allowed to be just it was agreed 'twould be more proper that his Excell^cy should propose to the Six Nations to take up the Hatchet absolutely and let the condition be offered to the Indians[1] in their answer.—And agreable thereto his Excell^cys speech was framed.

This day, Andries van Patten of the Township of Schenectady, being charged by the Indians with having told them that the people of this Province had a design to destroy them the last Winter (which was as pretended the occasion of a great deal of uneasiness amongst them) was brought before his Excell^cy and examined upon oath, M^r Horsmanden M^r Murray and Coll: Stoddard being present. The Man absolutely denyed that he ever reported any such thing, and from the favourable circumstances of the Man's behaviour under his examination, and the good character he bore, His Excell^cy and every one present believed him innocent of the charge against him and he was discharged.

[1] *by* the Indians. *New-York Council Minutes*, XXI., 48. — Ed.

Albany the 8 day of October 1745.

This morning the principal Sachims of the Tribes now met at this place sent the Interpreter to inform his Excell^{cy} that they would wait upon him in the evening in order to lay their grievances before him and desired that nobody might be present with his Excell^{cy} but Coll: Stoddard and themselves.

His Excell^{cy} returned for answer, that he should then readily hear what they had to offer and would do them justice, but that he had brought two of the Gentlemen of the Council with him from New York, who he desired should be present at this private conference.—

P. M. At a private Conference with the Indians.—

PRESENT—His Excellency.
M^{r} Horsmanden
M^{r} Murray
Coll: Stoddard.

and thirty three of the Sachims of the Indians, pursuant to their Message in the morning.

Arent Stevens & Coenradt Weiser, Indian Interpreters.

As his Excell^{cy} had taken all the proper steps he could think of whilst at New York, at so great a distance from the Indians, in order to discover the true grounds of their uneasiness, and it being rumored that they were still dissatisfyed, notwithstanding the Commiss^{rs} of Indian Affairs had been up at the Mohawk's Castle to inquire into this matter and had reported that they left the Indians entirely composed and that they desired all that was passed might be burried in oblivion and no further enquiry to be made about the Report spread amongst them the last winter, that the people of this province had a design to destroy them, for that they were convinced it arose without any just Grounds and they gave no credit to it; and his Excell^{cy} having been informed several times afterwards that the Indians were still uneasy at that Report, and some of the River Indians in May last having delivered his Excell^{cy} a string of Wampum from the Six Nations with a message requesting to be informed whether there were any such design as before mentioned, to which his Excell^{cy} sent them an answer by the River Indians; nevertheless his Excell^{cy} not resting herewith, but hearing that Coenradt Weiser the Pensilvania Interpreter was going up amongst the Six Nations about that time to negotiate some affairs in behalf of that Govern^{t}, his Excell^{cy} was pleased to write to Gov^{r} Thomas to give instruction to said Weiser to inquire privately amongst those Indians, and endeavour to find out the reasons of their late commotions; and Weiser returning from the Indian Countrys by way of New York in July last, reported to his Excellency the effect of his enquiry and brought a Message from the Mohawks with a string of Wampum addressed to his Excell^{cy} as followeth:

Brother the Gov^{r} of New York.

We are now reconciled with our Brethren in Albany and it was agreed that no further enquiry should be made or any resentment shewn for and to the person that sent us warning, but our Brethren in Albany still continue to make enquiry and threaten the person if they could find him out. we therefore desire you will order the Commiss^{rs} our Brethren to make

no further enquiry, for that person that gave us warning; to signify our request we lay before you this string of Wampum.

Aaron Asaragehty Speaker.

Notwithstanding this message delivered to Weiser by the Mohawk Sachims in full Council, Weiser reported further to his Excell[cy] that a few days after Aaron and another of the said people (meaning the Mohawk Sachims) informed him that the matter with Albany people was not made up but only by words of mouth, their Brethren never spoke from their heart to them, and therefore they (the Indians) could do no otherwise but speake with their mouth only in the last Council, the Friends of Albany people carried the day but the old cause that we have been cheated out of our Lands still remains unsettled.

As no certainty could be drawn from these jarring accounts His Excell[cy] was determined to make the best use of this opportunity, and therefore told the Indians that he was now resolved to make strict inquiry into the causes of their late uneasiness, as it was his resolution to do them justice; and notwithstanding they had sent him a string of Wampum by M[r] Weiser with a request that all that was past might be burried in oblivion, yet as their late commotions and uneasiness had made so great a noise in the world, and reflections had been cast upon many persons of some figure in the province as if they had been the authors or instruments of it, His Excell[cy] therefore thought it incumbent on him as well in justice to their persons[1] as the Indians themselves to insist upon their laying their grievances now before him, and in that expectation he returned them the string of Wampum which Weiser had brought from them. and gave them a Belt.

Cannassatego an Onondage Sachim repeated to the Indians what his Excell[cy] had said with relation to the string of Wampum and the reasons of his returning it, and asked his Brethren whether they understood it so. The[y] answered they did.

Then Hendrick a Mohawk Sachim after a considerable pause said.

That Jean Ceur (a French Indian who generally resides amongst the Sinnekes one of our Six Nations and does us much Mischief amongst them) told them last fall that the English had sent to the Gov[r] of Canada to join with them to destroy the Six Nations that they (the Indians) had told Wemp the Smith of this to inform the Commiss[rs] of Indian affairs of it, and they the Indians had no answer from the Commiss[rs] and the said Hendrick run on for above an hour in an harangue which the Interpreter could make little or nothing of, and at which the rest of the Indians seemed to His Excell[cy] and the Gentlemen present to be ashamed, of which opinion were both the Interpreters who were better acquainted with the behaviour and the manners of the Indians; and as neither head nor tail could be made of Hendrick's oration, after a long pause and consultation of which every one present was tired.

Cannasatego said, 'twas a matter required sober consideration and they must take further time to consider of it.

[1] *those* persons. *New-York Council Minutes*, XXI., 50. — Ed.

At His Excellency's residence in Albany 9th Octr 1745 in the Evening.

PRESENT — His Excellency
Mr Horsmanden
Mr Murray.
Coll: Stoddard.

Arent Stevens and Coenradt Weiser, Indian Interpreters. And forty five Indian Sachims.

Hendrick the Mohawk Sachim begun with reminding the Indians of what passed the last night, the string of Wampum returned by his Excellency and the Belt given, and what errand they came now upon. Then he proceeded and said:

That they were now resolved to open their Hearts so that no filth should remain within them and came to give an answer to what his Excellcy said to them concerning their grievances, that they intended now to declare the whole.

Tho' they had resolved never to discover the Man from whom the alarm first came, yet since their Brother was resolved to have it, Andries van Patten was the Man.

That hearing such news and putting that together about their lands that they were resolved to take away their Lands that there were persons that had Deeds in their pockets for five or six lots of land and now he has not a dust of ground to set his foot on.

That Mr Collins surveyed their Lands in the dark.

Complained, Coll: Stoddard was not suffered by the Commissrs of Indian Affairs to come into their Country last spring but they must come to Albany to him.

They were become the property of Albany people, they were their dogs,

Perhaps our Brother the Governour imagined we were thoughtless.

I know (says he) and understand well now, what passed of old; two Towns of Indians were cut off near New York.

We the Mohawks are apprehensive we shall be served at last as our Brethren the River Indians, they get all their lands and we shall soon become as poor as they.

You in the Broad way (addressing himself to Coll: Stoddard) have got our lands and driven us away from Westfield were my Father lived formerly, one instance. — From all these things looking about what has been done at New York, New England, Maryland ettc. puting all these things together I concluded the news was true.

And they speak this that they may not be brought into the same condition as others have been before them; and truly we foresee that is forthcoming, we see that we shall be brought to the same pass.

This has remained in our hearts for some years and now the Governour would have them open their hearts, they have done it, and hope it will have a good effect.

Brother, continued he, when this alarm arose we were glad and rejoiced to find we had some friends to warn us.

And we now say as we told Coll: Stoddard before, that van Patten was the man, who they desired not to be hurt.

They heard, five white persons had been named [as] authors of the Report, The Minister, Interpreter, Cuyler, Livingston Junr, Nicholas Bleeker, these were accused by White people, the Indians never named them or heard any thing of them among themselves.

Johannes an Indian that lodged at van Patten's near Schonechtady last winter, being present (who Hendrick said had his information that the Indians were to be destroyed from van Patten) being interrogated sayd that van Patten spoke in Dutch, and he understood Dutch living amongst them, tho he can not speak it, but nevertheless his Negro wench, interpreted it into Indian language.

The question was asked what van Patten did tell him.

The Man did not answer, seemed to be stupid, but others Clubbed their heads together and seemed to prompt him, and then he went on with a Blind sort of Story that van Patten told him that the people of Albany had a design to destroy the Mohawks ettc.

Aaron another Mohawk Sachim said (which it seems he had never pretended to before) that he was by once, when he heard van Patten tell Johannes so. That van Patten sent for him (Johannes) from the Mohawks Country, van Patten told him he must stay there, he must not go a hunting, and kept him several days; that van Patten asked Johannes if the people (meaning the Mohawk Indians) were at home whether one or two or three days off.—That van Patten said there was terrible news, death prepared for them, and when they came home they were to be cut off by their Brethren the Dutch; that he had been at Schenechtady and there heard several people say it.

Johannes said he went three several times from van Patten to the Mohawks went to Aaron and he went down with Johannis to van Patten and heard the same of him from his own mouth (Arent understood Dutch) and sometimes the negro wench put in a few words in Indian

The question was put whether the Gov^{r} should send for van Patten and Negro Wench, at which Hendrick seemed much alarmed and in a great fluster, and the Indians in general desired that matter should not be pressed any further.

From which conduct of these Indians upon this occasion, and considering that[1] van Patten had declared upon oath of his innocence with respect to the charge against him and the favourable circumstances appearing in his behaviour upon his examination with all the air of truth and innocence, his Excell^{cy} and Gentlemen present with him concluded that the Report spread among the Indians at which they pretended to be so much alarmed and uneasy was a device of their own contrivance in order to induce this as well as the neighbouring Govern^{ts} to give them presents this year as they did the last.—

Then they were told they had made only a general complaint about these Colonies taking their lands and driving them back when they sell their lands and are paid for them. But let them name particular instances tho' herein[2] they have been imposed upon; name the six persons who have deeds in their pockets as they now talk of and if any injustice has been done them his Excell^{cy} would do them right. They answered:

M^{r} Collins measured land for Phillip Livingston (meaning the Councillor) which he has not paid for.—Abraham another Mohawk said there was a great piece of Woodland, near a carrying place laid out at the head of Susquehanna Lake which was not bought of them. His Excell^{cy} again told them if they would at any time before he left this place mention all the particular persons by name who had imposed upon them about their lands and the places where, and if it did in any thing appear that they had been injured his Excell^{cy} would see they had justice done to them.

Then the Indians withdrew.

[1] what. *New-York Council Minutes*, XXI, 52. [2] particular instances *wherein*, &c. *Ibid.*—Ed.

And his Excellency heard nothing further from them concerning their complaints about their Lands.—

Propositions made by his Excellcy the Honble George Clinton Esqre Captn General and Govr in Chief of the province of New York ettc. to Five of the Six united nations of Indians vizt: The Maquas, Oneydes, Onondages, Cayouges and Tuscarores. At Albany the 10th day of October 1745.

PRESENT—His Excellency.
Phillip Livingston
Daniel Horsmanden
Joseph Murray
John Rutherford
} Esqrs of the Council
The Commissrs from the Governts of the Massachusets Bay and Connecticut,
The Commissioners for Indian affairs.
The Mayor and Corporation of Albany, and several Gentlemen attending his Excellcy and the several Commissrs upon this occasion.

His Excellcy addressed himself to the Indians as followeth:

Brethren.

Here are present upon the occasion of this interview Commissrs from the Governts of the Massachusets Bay and Connecticut convened with me on the same righteous intention of renewing, brightning and strengthning the Covenant chain, which has tied you and His Britanick Majesty's several Colonies on this continent in the firmest engagements to each other, for supporting and maintaining our common cause. Wee are glad to see so many of our Brethren, and we bid you welcome here, at the same time that we heartily condole the absence of our Brethren the Sinnekes and their calamity's which have occasioned it, may the Almighty comfort them under their griveous afflictions and soon wipe off all tears from their eyes. We do with you our Brethren and with you as their representatives, ratifye confirm and establish all former engagements entered into by us, and our Brethren of the Six United nations, and assure you, that we shall ever hold them inviolable, and we doubt not of the same from you—A belt.

Brethren.

The rumour which the last winter gave an alarm to our Brethren the Maquas, and was from thence spread to the other Nations, now appears to have been without foundation; and I can not help observing on this occasion, that you ought not for the future to suffer any such idle tales to be raised and propagated among you, as they not only tend to separate you[r] and our affections each from the other, but also to make us jealous of our own people without sufficient ground for it. A string of Wampum.

Brethren.

It must be further observed to you, that we hear several of the Chiefs and others of our Brethren of the Six Nations have contrary to our inclinations, and against our express advice, had an interview with the Govr of Canada this summer at Montreal; and that your pretence for holding this correspondence with our declared Enemys was for the public good, and the preservation of the house at Oswego. To tell the Govr of Canada, that they must not make

any attack or attempt upon that place, for that our Brethren are resolved to defend it and that it should remain a place of peace and Trade. You declared that your intent was good, and [that] the Gov^{r} of Canada should never prevail upon you in any thing hurtful to your Brethren the English, who, you said, you knew did not like your going thither; that yet upon your return from thence, your Brother the Gov^{r} of New York should know all that passed between you and the Gov^{r} of Canada. We will tell our Brethren what we hear was done, whilst they were with the Gov^{r} of Canada, and we expect the whole truth from them according to their promise, and whether what we hear is true or not. We hear that whilst our Brethren were with the Gov^{r} of Canada, The French Indians took up the Hatchet against the English, which we believe to be true for reasons you shall hear by and by, and thereby the Treaty of neutrality concluded between you and them is become vain. We hear likewise that our Brethren of the Six United Nations there present, were so far prevailed upon by our Enemies the French, as to accept of the Hatchet upon condition to carry it home to their Castles to deliberate upon and then to return the Gov^{r} of Canada their answer, which we cannot believe to be true till we have it from our Brethrens own mouth. We expect a full and plain answer from our Brethren concerning these matters that the way may be cleared for wiping of all stains from the Covenant Chain, and that we may preserve it bright, firm and inviolable as long as the sun shall shine. A Belt.

Brethren.

We must now acquaint you of something relating to the War, the success of His Maj$^{ty's}$ arms against the French in this part of the world, and the rise and occasion of our attacks upon the Enemy in this Quarter. When you were here last summer you were told that war was declared between the Crowns of Great Brittain and France; the events that have since happened are to numerous to relate particularly. His Majesty's Subjects in this Country, lay still the last summer, without attempting any thing against the French settlements, but the French first attacked and destroyed a small place belonging to us called Canso about 25 leagues from Cape Breton. Afterwards they laid Siege to Annapolis Royal, but therein they proved unsuccessful. They then agreed to make another Tryal for that place the next spring and in the mean time they sent to France hopeing to obtain some of the King's Ships to facilitate the reduction of it. They haveing proceeded thus far M^{r} Shirley Gov^{r} of Massachusets Bay thought it high time to do something to curb the insolence of that haughty people and did therefore raise a small Army, which was joined by a number of Men from the Govern^{ts} of Connecticut and New Hampshire, and sent them early last Spring against Louisbourg. They were likewise joined by a number of his Maj$^{ty's}$ ships of war, and after about seven weeks siege that important and strong fortifyed place was, thro' the goodness of divine providence delivered up to our forces. Whereupon the rest of the inhabitants of the Island of Cape Breton, together with those that were settled in parts adjacent, surrendered themselves prisoners to the English. And during the Siege, and since many French Ships were taken and divers of them of great value; and the design of the French against Annapolis Royal was frustrated. We have in this part of the Country lain still both the last summer and this, hoping that our neighbours in Canada would either be quiet or carry on the War in a manly and Christian like manner. And to induce them thereto, a message was sent from this place to the Gov^{r} of Canada the last Summer, by which he was assured, that if he should revive their former vile practices of treating his Maj$^{ty's}$ subjects inhumanly, the several Governours together with the Six Nations

would join and make reprisals on them. And at the same time you publickly declared, that if any of his Majᵗʸˢ subjects in any of his Governᵗˢ should be killed by any Indians you would immediately join in the war against them and the French. You likewise sent your Delegates last summer to the Eastern Indians to warn them not to engage in the War against the English, threatning them in case they should do so. Notwithstanding these things, divers hostilities have been committed. Some months ago the Eastern Indians who had formerly acknowledged their subjection to the Crown of Great Brittain, entered into solemn engagements with the Kings subjects, and had been since treated by them with great kindness; but at the instigation of the French they have lately killed one Englishman, and also great number of Horses and Cattle, burnt a Saw Mill & many dwelling houses and attacked an English Garrison. Notwithstanding such outrageous insults the Govʳ of Massachusets Bay was so tender to them that he resented it no further then to send a Message to them demanding the delivery of the Murderers as they would avoid the consequences of their neglect. This proposal was rejected by them, and since that time they have killed two or three others, whereupon the Govʳ of the Massachusets declared war against them; and we are informed the English have lately killed two of them and taken another prisoner. About three months since some of the Canada Indians killed two Englishmen near Connecticut River, the body of one of them was treated in a most barbarous manner, by which they left a hatchet of war, thereby daring us to take it up, and return it. There has likewise been several other partys that have attempted to distroy His Majᵗʸˢ subjects of New England, but have been hitherto prevented. These facts plainly shew, that the French are still acted by the same spirit, that they were formerly governed by, and they seem never pleased but when they are at War, either with the English or some of the Tribes of Indians, and if they had it in their power, they would doubtless distroy all about them. It is likewise evident, that the most solemn and sacred engagements are broken thro' by those Indians that have committed the late Murders. That Belts of Wampum will not bind them to the performance of their promises. That we are slighted and you condemned,[1] as though they thought you not worthy to be regarded. The Six Nations were formerly esteemed powerful and your neighbouring Tribes stood in fear of you; but now the French and their Indians by the little regard they have to your threatnings, or to the covenants they have made with you, do declare that they think you do not intend to perform what you have threatened, or that they do not fear your displeasure, both which do reflect equal dishonour upon you. It is high time for us and you to exert ourselves and vindicate our honour, and although it is well known, that we delight not in the distruction of our fellow Creatures, but have chosen rather to suffer ourselves to be abused, yet we can not think ourselves obliged any longer to bear their insult and evil treatment. Therefore since neither our peaceable disposition nor examples, nor any methods we have been able to use, have been sufficient to prevail upon them to forbear their Barbarous treatment of us, but they will force our resentments. In the name of God we are resolved not only to defend ourselves, but by all proper ways and methods to endeavour to put it out of their power to misuse and evil entreat us, as they have heretofore done, and we doubt not of your ready and chearful concurrence with us (agreable to your solemn promise made in this place last Summer) in joining with us against our Enemies the French and such Indians, as are or shall be instigated by them, for we esteem them Enemies to God as well as to all their fellow Creatures, who dwell round about them.—

A large Belt with the figure of a Hatchet hung to it.

[1] contemned. *New-York Council Minutes*, XXI, 55. — Ed.

Brethren,

The publick affairs of my Govern[t] have prevented my meeting you sooner. I was apprehensive I should not have been able to meet you this fall, and it was determined upon a sudden so that there could not be timely notice sent to the rest of His Maj[tys] Govern[ts] or I doubt not they would likewise have sent Commissioners to be present at this interview. We are all subjects to the same prince, united in the same bonds of duty and allegiance to the Great King our Common Father, and in friendship and affection to each other, and in this union consists that strength, that makes us formidable to our Enemies, and them fearful of our resentments. We are all united with you in the same covenant chain, which as long as we preserve it free from rust must remain impregnable; and you on your parts have declared that you will preserve it so strong and bright that it shall not be in the power of the Devil himself with all his Viles[1] or arts to break or dirty it. You are also united with all the Far Nations of Indians in league with our great King, with whom we recommend to you to preserve strict friendship and hold frequent correspondence; that you yourselves (who many of you live scattered and dispersed) should dwell in bodys closer together as you have heretofore promised to do. And we advise you to keep your young Men at home and within call, excepting such as may be sent from time to time a hunting, or, against our Enemies, and you may depend upon the most ready and effectual assistance from us in all times of danger. A Belt.

Answer of the six Nations (except the Sinnekes who are absent) to His Excell[cy] George Clinton Esq[re] Gov[r] in Chief of the province of New York ettc. and the Commiss[rs] of the Colonies of the Massachusetts Bay and Connecticut. At Albany the 12[th] day of October 1745.

Brother Corlaer and Brethren of the Massachusets Bay, Pennsylvania & Connecticut.

Two days ago our Brother Corlaer and our Brethren of the Massachusets Bay & Connecticut speake to us and now we are come to give our answer. You must [not] expect, that we can answer exactly to the several heads you mentioned to us but only to the principal Articles. You have renewed the old Covenant Chain and we do now renew the same on our parts; it is impossible that it can ever Rust for we daily wipe off the dirt and keep it clean which we will ever continue to do. A Belt of Wampum.

Brethren.

You thought fit to mention to us that there had been an uproar among us last Winter, and told us that we ought not to entertain any such notions of you our Brethren, especially as we had no grounds for any such belief. It is true Brethren such a Rumor was among us, but it was immediately burried and forgot, and we did not expect that our Brethren would have mentioned any thing concerning that affair to us at this Interview, and we desire you to think no more of it; we are also mindful of the Covenants between us and our Brethren and here is a certificate (*a*) to prove that we are in covenant with our Brethren of Boston.—

A String of Wampum.

[1] Wiles. *New-York Council Minutes*, XXI., 57. — Ed.

(*a*) (A Certificate dated 1st August 1744. delivered by Hendrick with the string of Wampum upon this Article under the hand of Govr. Shirley and the seal of the Province of the Massachusets Bay, signifying that Hendrick Sachim of the Maquas and Kayenwarygoa Sachim of the Onnondages delegates from the Eight Nations accompanied by the

Brother Corlaer and Brethren of the Massachusets Bay and Connecticut.

You speak to us concerning our going to Canada this summer, and told us that the Commissioners of Indian Affairs, had last Winter enjoined us not to go there, but some of us went; as to what you tell us that we had taken a Belt from the Gov^{r} of Canada whereby he desired us to take up the Hatchet against you our Brethren and that we promised him to consider of it at home, it is not so. All that passed there the Mohawks and Tuscarores have given the Commissioners of Indian Affairs an account of at their return and we are convinced that that account is true.

A Belt of Wampum.

Brethren.

You have thought fit to relate to us several particulars, concerning the war between you and the French, and what reasons you had for taking up the Hatchet against the French and their Indians. We thank you for given[1] us a particular account of the provocations and inducements you had for declaring war against them, you also mentioned to us that we are one Body and one Flesh, and that if one of us is touched or hurt then the other is so likewise, and you have informed us that you are molested and attacked by the Enemy and had therefore taken up the Hatched against them and desired as we are one Flesh with you, that we would also take up the hatchet against the French and those Indians under their influence; in conjunction with you we the Six Nations accept of the Hatchet and will keep it in our bosom. We are in alliance with a great Number of Far Indians and if we should so suddenly lift up the Hatchet without acquainting our allies with it, they would perhaps take offence at it. We will therefore before we make use of the Hatchet against the French or their Indians, send four of our people (who are now ready to go) to Canada to demand satisfaction for the wrongs they have done our Brethren and if they refuse to make satisfaction, then we shall be ready to use the Hatchet against them, whenever our Brother the Gov^{r} of New York orders us to do it.

A Belt of Wampum

His Excell^{cy} asked them, what time they thought necessary to try whether the French Indians would make satisfaction.

The Indians answered, two months.

His Excell^{cy} asked them that if in case the Enemy should commit any further hostilities in the mean time, whether they would then upon his Excell$^{cy's}$ commands immediately make use of the Hatchet.

They answered: yes.

Here the Indians requested his Excell^{cy} that as they had giveing the war shout upon delivering the hatchet to them that these[2] Brethren would now signify their approbation of this article in their usual method. Whereupon His Excell^{cy} and most of the company joined in shouts with three huzzas. — [excepting the Massachusets Commissioners]

Commissioners appointed by that Governt to treat with the eight Nations arrived at Boston 25th June 1744. had at several conferences with Govr. Council and Assembly confirmed the Treaties made with that Government and particularly the last Summer at Albany and had proceeded on a voyage and had an interview with the Eastern Indians and faithfully acquitted themselves in enjoy[n]ing them to maintain peace with the English and warning them of the consequences of their violating the same).—

[1] giving. *New-York Council Minutes*, XXI., 57. [2] their. *Ibid*, 58. — Ed.

Brethren.

You desired us that we should gather together our people who are scattered and settle in a Body, especially as it is very uncertain how soon we may have occasion for them; your request is very reasonable and we will use our endeavours to that end.

A Belt of Wampum.

Brethren.

We have now finished our answer and have nothing further to say but only one request to make to you all, which is that you our Brethren should be all united in your Councils, and let this Belt of Wampum serve to bind you alltogether. And if any of you have any thing of importance to communicate to us this is the place where it should be done.

A Belt of Wampum.

Here a note of approbation was given by the Interpreter by his Excell^{cys} directions for New York Connecticut and Pennsylvania.

Brethren.

Trade was the first occasion of our entring into alliance together, and from time to time goods have been sold dearer to us, and we have several times desired that the price of goods should be lower and more moderate, but could never get a satisfactory answer, and now we take this opportunity to desire our Brother Corlaer himself and the Commiss^{rs} of the several Provinces to take it into their consideration that goods may be sold cheaper to us, for how shall we do now we have taken up the Hatchet, we have no powder, ball nor cloathes, people that go to war ought to be [well] provided with amunition, this is the last time that we shall speak upon this head, if we do not succeed now. A Belt.

His Excell^{cy} answered them, that he would do his utmost, that goods should be sold them as cheap as they could be afforded, but that the price of goods depends upon the scarcity or plenty of them, and as it is now war, goods are scarce and consequently dear and that they shall be furnished with powder and amunition upon occasion.

His Excell$^{cy's}$ further Speech to the Indians.

Brethren.

I have some presents which shall be ready to deliver you at this place an hour hence.

Since there are none of our Brethren the Sinnekes here I doubt not but you will be so just to them in the distribution as to set apart and reserve their share for them and take care it be delivered to them.

It gives me much pleasure to see so many of our Brethren at this Meeting and I have taken care hitherto for your Refreshment and hospitable entertainment, I hope you have wanted for nothing, and I doubt not but the Commissioners of the other Govern^{ts} will now do their parts towards you, till your return home. I shall provide all necessaries for your journey from hence to Schenectady.

I have been detained here several days longer than I should have been, had not Commissioners from several other Govern^{ts} attended at this interview which of course will make the presents fall so much shorter.

I recommend to you that you take care there is no mischief done in your way home.

I recommend it to your[1] Brethren the Maquas to enquire into certain complaints of some injuries done to Farmers living at Canajoherie and to see that Justice be done and no mischief committed for the future.—

MEMORANDUM.

That the Commissioners for the Massachusets Bay, upon the Indians delivering the fourth Article in their answer to the Article of His Excell$^{cy's}$ speech, proposing to them their engageing in the wars, rose up and publickly declared their dissatisfaction at the Indians answer, and insinuated, as if some endeavours had been privately used by some people of this Province to prevail on the Indians to give that answer for that (as they said) they knew the Indians were well inclined to have entered into the war immediately, and cast some reflections upon the people of Albany, as if this answer was given by their perswasion, who, the Commiss^{rs} of the Massachusets, said, they well knew were not inclinable that the Indians should enter into the war at all. And as to their obtaining satisfaction of the French Indians for the hostility by them committed, what satisfaction could they expect from them, perhaps a bundle of deer skins, or some such trifling consideration, so that at this rate they were likely to carry on the war by themselves, which they believed was contrary to His Maj$^{ty's}$ intentions, and their Govern^{t} would take care to represent this matter home.

His Excell^{cy} in answer thereto observed that the conduct of the Massachusets Commissioners was what he was much surprised at in the face of the Indians, at a season, when he thought it behoved us, (and 'twas the intention of this meeting as he understood) to shew that these Colonies were all united, and were determined to join their forces, and utmost strength in the prosecution of the War and maintenance of the common cause; and if a neutrality could be strictly observed by the Indians, he understood hitherto that this was what would answer the wishes of every Colony, and that of this opinion was M^{r} Shirly, after the hostility's committed upon the borders of his Govern^{t}—upon which occasion he wrote to his Excell^{cy} requesting him to send his orders to the Commissioners and instruct them to send a message to the Six Nations forthwith, and to acquaint them of the infraction of the neutrality by the French Indians, and that it should be demanded of the Six Nations, to dispatch Deputys to Canada in order to obtain a satisfaction, that so the treaty of neutrality might inviolably be observed for the future; and that his Excell^{cy} had immediately pursuant thereto, sent his orders to the Commiss^{rs} of Indian Affairs at Albany, though it happened at that time to be notorious, that many of the heads of the Six Nations were then gone to Canada upon an interview with the French Govern^{r}, and several of them were engaged (according to promise) to return thence by way of Albany to give the Commiss^{rs} an Acc^{t} of their negotiations with the French part of their errand, being (as the Indians assured the Officer at Oswego) to tell the Gov^{r} of Canada, he must make no attempts upon that place, for that the Six Nations were resolved to defend it, and the Commissioners at Albany at the time of such his Excell$^{cy's}$ orders as aforesaid, were in daily expectation of the return of the Indians from Canada by way of Albany, and as the Commiss^{rs} wrote to his Excell^{cy} in answer, they thought, that considering the importance of the Message to be delivered to the Indians, it would be the best opportunity of delivering it to them personally, and they should at the same time be better able to judge of their present disposition after their interview with the French Gov^{r}; but before 'twas possible for the Six Nations to have sent to Canada and have obtained the fruits of such an endeavour, the Govern^{t}

[1] our. *New-York Council Minutes*, XXI., 58. — ED.

of the Massachusets had declared War against the French Indians, which was matter of surprise to his Excell^cy considering Gov^r Shirley's request as aforesaid.

At a Council held at his Excellency's residence in Albany the 14^th October 1745.

PRESENT—His Excell^cy the Hon^ble George Clinton.
M^r Livingston, M^r Horsmanden, M^r Murray, Capt^n Rutherford.

The Commissioners of the Massachusets Bay communicated to his Excell^cy late last night some intelligence they then had received by express, that an Attack had been made upon one of the block houses upon the Frontiers of New England by an Army of French and Indians as appeared by a letter from Zacharia Field directed to Capt^n Wells and inclosed to John Stoddard Esq^re at Albany (one of the Commissioners) by Ephraim Williams, which letters were read and are as followeth:

Read a letter from Zachariah Field to Captain Wells dated Northfield 12. October 1745 informing him that the French had attacked a settlement on the Borders at New England.

A letter from Ephraim Williams Jun^r to the Hon^ble John Stoddard Esq^re of the same date mentioning the above letter.

Whereupon the Commissioners from the Massachusets Bay and Pennsylvania Govern^ts (the Commiss^rs from Connecticut being returned home) were sent for to confer with his Excell^cy and Council [this] morning upon the subject matter of the above letters.

The Commiss^rs from the Massachusets Bay attending accordingly proposed to His Excell^cy and Council, that as the French at Canada and their Indians have now attacked the King's Forts, and in regard the Six Nations of Indians by their answer to the fourth article in his Excell^cy^s speech now made to them have agreed to take up the Hatchet against the French at Canada and their Indians, upon condition they should have two months time allow[ed] them to use their endevours for obtaining satisfaction touching the infraction of the Treaty of neutrality which had (at that time) been made by French Indians by committing hostilitys upon the Frontiers of New England, or if in the mean time any further hostilitys should be offered against His Maj^ty^s Settlements, that then they would immediately after upon his Excell^cy^s orders strike with the hatchet against the French & their Indians, and as further hostilitys had now been committed as appeared by the aforesaid letters, the said Commissioners requested his Excell^cy that he would please agreable to this treaty to give his orders to the Six Nations immediately to fall upon the Enemy, and the Massachusets Government would provide them with Amunition and other warlike stores at their own expence, provided this Province would not furnish them therewith and they would take the Indians along with them.

And then the said Commiss^rs withdrew to wait his Excell^cy^s answer.

And his Excell^cy advising with the Council thereupon they were of opinion: That, as there[1] was a matter of the highest concern to all the Colonies it could not be determined upon so suddenly, as the Massachusets Commiss^rs desired, for there were but four Members of the Council present and it was proper it should be discussed by a full Board at his Excell^cy^s return to New York; besides, it was necessary this matter should be laid before the Assembly that

[1] this. *New-York Council Minutes*, XXI., 60. — ED.

they may make provision for such an event; that proper Fortifications may be immediately erected upon our Northern Frontiers to which at present the Six Nations are our only barrier, and should our Indians be withdrawn, are[1] out settlements would be naked and utterly exposed to incursions and insults of the Enemy; and his Excellency would not consistently with the security of this Province (as matters were now circumstanced) engage the Indians in the war, at this critical time, till proper measures can be taken to put this province in a better condition of Safety.—

That this Province was at all times at an anual expence to secure these Nations in the British interest as well in peace as war, well knowing that if they are our friends they are our securest Barrier.

That the other Provinces never took notice of them but in time of war, excepting upon some extraordinary emergency respecting the particular instance of their respective Colonys.

Moreover, it did not appear by the express whether this was a formidable Army or of what number it consisted, for it was probable it was no more than a small flying party who would soon retire after doing some little Mischief.

Considering the time this fresh hostility was committed it did not come within the words or meaning of this Treaty, for 'twas before the Indians had given in their answer to his Excell$^{cy's}$ speech.

'Twas observed that the Six Nations had now said in answer to His Excell$^{cy's}$ proposition to them concerning their engaging in the war that they were in alliance with a great number of Far Nations of Indians, and if they should so suddenly lift up the Hatchet without acquainting their allies with it they would perhaps take offence at it, that 'twas probable many Indians of the Six Nations were at this time in the Enemies Country and might remain there some time if they have not notice of such an event, and 'twas most reasonable there should be time allowed for calling them home, and thereby preventing their falling a sacrifice to the Enemy.

But though it must be allowed the Six Nations are more immediately under the influence of the Govern^{t} of New York as being constantly in their pay at a very great expence as well in peace as war, yet the Council conceived 'twas most just & reasonable and a duty incumbent on every Colony to assist each other not only in case of attack made by the Enemy upon any of us, but likewise to join in any well concerted scheme for the annoyance of the common Enemy, as the same is also most agreable to the Royal orders concerning the present War, nevertheless they could not advise his Excell^{cy} to take such measures at this instant as the setting on the Indians to war immediately as things are thus circumstanced, but rather thought it adviseable as the Assembly were now soon to be sitting that there should be the concurrence of the whole Legislature upon a matter of so great moment.

Which was agreed to by the Board, then the Commissioners were called in and acquainted with the above opinion and resolution.

His Excell^{cy} however told the Commissioners though he could not immediately give orders to the Indians to engage in the war, nevertheless he would give them assistance by immediately detaching a party of the Militia at the expence of this Province.

The Commissioners took an hour's time to consider of this proposal and said at their return that they could not accept of the Militia for they believed 'twas only a small party that by that time was gone off; so that nothing but his Excellency's orders to the Indians to join in the war, and to go with the Massachusets Commissioners immediately and thereby be withdrawn

[1] our. *New-York Council Minutes*, XXI., 61. — Ed.

from our Frontiers would content them, for they seemed to depart with some sort of threatnings that their Govern^{t} would represent this matter home.

Note. — The words within brackets in the preceding Document are added from the Record in *New-York Council Minutes*, XXI. — Ed.

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) IX., 257.]

My Lord.

Since I had the honour to write to Your Grace of 25th July last, I have been obliged to make a voyage to Albany, to attend an interview with the Six nations of Indians, in order to establish them more warmly in the British interest, from which they were likely to revolt, thro' the influence and artifice of the French.

At the publick conference, there attended Commissioners from the Massachusets Bay, Connecticut and Pensilvania, with intent to renew and confirm with me, in behalf of His Majesty, their respective treatys with the Six nations, and during my stay there, The Commissioners from the Massachusets demanded of me the Assistance of those nations to war against the French Indians in their Govern^{t}, whereby the frontiers of this province would have been left naked, and exposed to the insults of the Enemy, and all our out settlers stript of succour; as we have no regular strength to repel an Enemy, nor a sufficient number of garrisons to protect the inhabitants, should they be attacked.

Whereupon I advised with His Majesty's Council then with me, who were of opinion, that it was of very dangerous consequence to suffer the Indians to depart this province, till I had informed the Legislature with the nature of this demand, however willing I might be to assist His Maj^{tys} subjects in New England, and shall refer Your Grace to my transactions at large with the Indians at this conference, and what passed between the Commissioners from the Massachusets Bay and me, upon the occasion, which I have inclosed, and hope for Your Grace's approbation therein.

Since my return from Albany I have again recommended to the Assembly, the necessity of raising supplys for building of Forts, to cover the frontiers of this province, and particularly more so now, as the Indians, by this treaty, have engaged themselves to make war upon the French Indians in two months after, unless they can obtain satisfaction in that time, from them, for a breach of a treaty of neutrality entered into between them, and now become void, by their committing hostilities upon His Maj^{tys} subjects in New England.

I am extremely concerned to see the dispatch of publick business so greatly neglected by the Assembly of this province, notwithstanding my frequent importunities and recommendations on that head; and I am perswaded while they are at the charge of maintaining a Govern^{r}, it will never be otherwise, tho' I have it to say, none ever gained more esteem among them, than myself, by a candid behaviour to them. They are selfish and jealous of the power of the Crown, and of such levelling principles, that they are constantly attacking it's prerogative, so that nothing but a Governour's independence, can ever bring them to a just sence of their duty

to His Majesty, and his service. I have taken unwared pains to that end tho' hitherto to little purpose; and I find that neither dissolutions, nor fair means can produce from them, such effects, as will tend to a publick good, or their own preservation; They will neither act for themselves, nor assist their neighbours, altho' I have constantly laid before them His Majᵗʸ' Royal orders, and instructions, transmitted to me from time to time by Your Grace since the commencement of the War, as also the frequent applications made to me by Governour Shirley and Mʳ Warren, for assistance of men, provisions, and mony, in mai[n]tenance of the late expedition against Cape Breton, and for the protection of Louisbourg since reduced to the obedience of His Majᵗʸ; to all which they have paid no greater regard than voting £5000 this currency to that service, without any other assistance, and even that was more than I could well expect, as few, but hireling, have a seat in the Assembly, who protract time for the sake of their wages, at a great expence to the Province, without contributing any thing material to its welfare, credit or safety.

It is now become clear to me, that unless the Legislature at Home does take cognizance of their disobedience and indolence, and enjoin them to a more submissive behaviour to His Majᵗʸˢ Royal orders and instructions, I have poor hopes of succeeding in any affair, tho' ever so well concerted for His Majᵗʸˢ service and the security of the Province.

I take the liberty to inclose Your Grace some Messages I sent to the Assembly, since my speech to them of the 25. June last, to which they have not given the least attention, except their enabling me to go to Albany, when the conceived the frontiers in the most imminent danger, although it has been the constant practice heretofore in time of War for the Governour to meet the Indians once a year, when the Province was much less able to be at the charge.

I have been endevouring to set on foot a scheme, and to engage the Province therein, for the reduction of a Fort at Crown point, posessed by the French in the Indian Country, which is a very great annoyance to our frontiers, and had in pursuance thereof sent up six pieces of Cannon of 18 pounders with carriages and a proportion of powder, ball, match and other implements. It is well they are gone, for to my great concern (and what I have so often represented to the Assembly would be our fate) I received an account the 19ᵗʰ inst: by express from Albany, that a party of French and their Indians had cut off a settlement in this province called Saraghtoge about fifty miles from Albany, and that twenty houses with a Fort (which the publick would not repair) were burnt to ashes, about thirty persons killed and scalped and about sixty taken prisoners.

Upon receipt of this news I sent the Assembly another Message, who have paid but little regard thereto, except their voting an inconsiderable sum towards building a small Fort in the frontiers to be garrisoned with some Militia; and have pleaded an adjournment for a fortnight, upon account of the small pox prevailing in this City, and that they may return home to settle their affairs, and such of them as are Colonels of Militia, to make proper regulations in their Regiments, for the defence of the respective Countys, as we hear the Enemy is still in the Country, to which I was advised by my Council to consent.

In the mean time I have done every thing in my power for His Majᵗʸˢ service and have detached two of His Majᵗʸˢ companys of Fusiliers to Albany, and given orders to march detachments of the militia as a further security to that City. I have also given orders to the Six nations, of Indians, to take up the hatchet against the Enemy, but unless the Assembly will come into ways and means to join our neighbours to attack the Enemy in their settlements, I can not answer for the safety of this province under its present circumstances. I have

discharged my duty, and do refer Your Grace to the proceedings of the Assembly for what they have done.

I am with the greatest of regard
My Lord
Your Graces most obedient and
most humble servant
(signed). G. CLINTON.

New York 30th Novr
1745.

His Grace the Duke of Newcastle.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 154.]

My Lords.

This waites upon Your Lordpps with a duplicate of my last of the 30th November inclosed, wherein I acquainted Your Lordpps that the Assembly had adjourned to 17th Decr. They came to a resolve of a very extraordinary nature the 29th Novr vizt

> "*Resolved.* For the honour of His Majesty and the welfare and security of this "Colony, that this house will at all times cheerfully concur to every reasonable "measure for our own defence, for the assistance of our Neighbours, and to any well "concerted plan, consistent with the circumstances of the Colony for the distressing "and attacking the Enemy; and that this is, and ever has been the firm purpose and "unanimous resolution of this House."

This they did with a view to remove the complaints and odium their own people threw upon them, for their neglect in raising supplys for the safety of the Province, particularly the Frontiers; and I was advised to make use of these complaints in my message before they adjourned, in expectation they would have been moved thereby, and acted with a spirit becoming a time of common danger, and with such zeal for the welfare of the Province, as might have ended in the confusion of the Enemy.

I sent the Chief of the Province from Council to know from the Assembly what they meant by this Resolve, and whether they would make good such services, as I might, in the interim, be advised (for the safety of the Country) to send the Militia upon; to which they answered, such powers were not meant by their resolve nor would they promise to requite any such services, unless they were previously acquainted therewith.

They met according to their adjournment, and I was in hopes with Resolutions to raise supplys effectually to enable me (in conjunction with the Neighbouring Governts) to discourage any further descents of the Enemy into these Provinces, to which end, I sent them a Message informing them, that I had great reason to apprehend, the designs of the Enemy against this Province were very formidable. I also acquainted them with overtures made to me by the Massachusets Govern[t] recommended by their Assembly, for the annoyance of the Enemy in

their own Country; and as in strictness, I think my recommendations (by advice of His Majᵗʸ's Council) sufficient for their guide, yet I have constantly waved all ceremony, and laid before them every paper and letter touching the designs and conduct of the Enemy as an inducement to their more ready adhering to such measures as would tend to the general good of this and the neighbouring Governᵗˢ; and notwithstanding the unhappy people in the Frontiers have mostly left their settlements and effects, and fled to the City of Albany for refuge, the Assembly has not come to any resolution for their protection or any thing else since they met, except their voting 150 pounds for building a Fort in the frontiers burnt down by the Enemy.

I must own, these sort of representations are vexatious to me, and I doubt not, disagreable to Your Lordᵖᵖˢ; but the duty and affection I owe to His Majᵗʸ obliges me to acquaint you with every neglect of the Assembly, relating to the security of this Province since the commencement of the War, and more particularly now, as it has been attacked by the Enemy; and such like disasters may reasonably issue every day, as we are [in] no condition of defence. I am ettc.

N. York. 18 Janʳʸ 174$\frac{5}{6}$. G. Clinton.

P. S. I have transmitted to Your Lordᵖᵖˢ the Act of the Province printed with the Seal affixed, which I conceive will answer the end of engrossement, as frequent casualtys have attended their coming to your hands since war was declared by France. Should this method be thought agreable to Your Lordᵖᵖˢ, You will please to signifye Your approbatⁿ thereof.

Lords of Trade to Governor Clinton.

[New-York Entries, M., 297.]

To the Honᵇˡᵉ George Clinton Govʳ of New York.

Sir.

Since our letter to you of the 28ᵗʰ of June 1745 We have received Yours of the 19ᵗʰ of Jânry 174$\frac{4}{5}$, 10ᵗʰ of June, two of the 25ᵗʰ of July, 30ᵗʰ of Novʳ and 18ᵗʰ of Jânry 174$\frac{5}{6}$.

In your letter of the 10ᵗʰ of June 1745 You acquaint us with your having dissolved the Assembly on account of their unwarrantable proceedings, and in that of the 25ᵗʰ of July that you had hopes that the new one would answer Your expectations seeming as you say there to be of a better Disposition towards business, We are therefore sorry to find by Complaints against them in Your letter of the 30ᵗʰ of November following that you have since had reason to alter Your opinion in that particular, as it is a disappointment to you and may be attended with bad consequences to His Majesty's Affairs.

It is certainly high time to make effectual provision for the Security of the Province when the Indians have begun to commit hostilities upon the Frontiers.

You have done your duty in using Your best endeavours in induce the Assembly thereto, tho they have not as yet seconded these good intentions of Yours in the manner they ought, yet as it appears by Your letter of the 30ᵗʰ of Novʳ that they have voted a small sum towards building a Fort upon the Frontiers We hope they may be yet further prevailed upon to concur with you

in those things w^ch^ you shall judge necessary for the publick Service and the Safety of the Government.

At the same time we are pleased to find that they were not backward in exerting themselves in the common cause, but shew'd a proper Regard to His Majesty's service by furnishing assistance towards the Expedition to Cape Breton.

We have laid before His Grace The Duke of Newcastle Extracts of so much of one of Your letters of the 25^th^ of July as relates to the Encroachments of the French and the necessity of the Governments sending You over an Engineer to repair the Fortifications of Your Province; and as much of the other of the same date as relates to Vessels built by the French upon the Lake Cadaracqui & the methods you propose for putting a stop to their encroachments.

In the Postscript to Yours of the 18^th^ of Janry last you acquaint us that you have transmitted the Printed Acts of the Assembly of Your Province with the seal affixed thereto, which you conceive will answer the End of Engrossment, and desire our opinion thereon, as they are authenticated under the Seal of the Province, We doubt not but they have been examined & if for the future you certify by your own hand that they have been passed by you, we are of Opinion it will answer the end of Y^r^ Instructions, So we bid you heartily farewell and are,

Your very loving friends
and humble Servants
MONSON
R. PLUMER
J. PITT
B. LEVESON GOWER.

Whitehall
May 15^th^ 1746

P. S. We must desire that you will for the future constantly send us together with the Acts passed in Your Government, Your Observations thereon & Your reasons for passing them as you are directed to do by Your Instructions.

MONSON.

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) X., 34.]

New York 10^th^ June 1746.

My Lord.

I must always acknowledge with a great many thanks the many favours I have received from your Grace and particular the last in obtaining for me this government, tho' it has fallen far short of what it was represented in regard to the support of a Governor, and to the climate, which has been fatal to one of my family, nor have I or any of the rest enjoyed any share of health since we have been in the Province. I am obliged to send my son out for change of air, he having had an ague & feaver for above this ten months, which has wore him to nothing. Therefore I am become a petitioner in behalf of my self and family, to beg of your Grace to get me his Majesty's leave to come to England for the recovery of my health, having very much empaired my hearing and eye sight.

As I offered my service to command the squadron to be appointed to go against Louisbourg, and took it for granted this present expedition would follow, and from some hint I had from home, I did not think I should have failed; but tho' I did not obtain it, I hope when I have leave to return to England that the Lords of the admiralty will appoint me some command to come home with from hence, as I take it for granted ships will be going home in the fall; as they appointed Commidore Knowles a command to bring him out to his government. This I must beg your Graces assistance in, as it may be a chance of making some little profit going home, which I have had no opportunity of doing here; but intirely submitt every thing to Your Grace

I am with the greatest respect
My Lord
Your Graces most obedient
humble servant
(signed) G. Clinton.

His Grace Duke of Newcastle.

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) X., 86.]

My Lord

I have the honour of your Grace's letter of the 9th of April last, acquainting me with His Majesty's royal orders touching an expedition for the immediate reduction of Canada.

I am perfectly glad to hear that such measures are taken, and I do assure your Grace that nothing shall be wanting on my part to promote the success of it. I am taking the necessary & most speedy steps for raising men for that service, and I wish I may meet with such aid from the Province as the importance of this enterprize demands; but I cannot help acquainting your Grace that altho' the Council and Assembly have declared their joy & loyalty in their addresses to my speech upon the occasion, yet I have already discovered they did not speak with their hearts, and are evading to provide materials which will be absolutely wanting to transport such troops as can be raised within this Province, into the enemy's country, because they are not expressly ordered so to do, by Your Grace's letter.

I must observe to Your Grace that I shall meet with great difficultys in providing arms and clothing, there being a very great scarcity of both articles here, occasioned by the loss of three of our trade ships to England; and what part of them can be had, will come extremely dear. However, I shall do for the best for His Majesty's interest and service.

Your Grace has been pleased to acquaint me that a number of blank Commissions will be sent by the next conveyance, with which I may hope for His Majesty's instructions how I am to pay the Officers & men that enter upon this service.

Pursuant to your Grace's orders I have directed a message to be sent to the Six Nations of Indians and all others in alliance with them (w^ch^ are very numerous) to meet me at Albany the 20th of next month. I have likewise wrote to the Governments of the Jerseys and Pensylvania to send all the fighting Indians from their governments, to Albany, on this occasion; and I

shall make them such presents in behalf of the Crown and use such means, however costly, as I think will be usefull, to engage them to take part in this expedition; since M^r Shirley, as well as I, apprehend the success of the whole attempt will greatly depend upon their joining us. Wherefore I hope to accomplish an event thro' them w^ch may greatly facilitate the undertaking, for the expence whereof I shall be under a necessity to draw upon the Treasury, which I hope will be duly paid.

I am with the greatest respect
My Lord
Your Graces most obedient
humble Servant
(signed) G. Clinton

New York
12th June 1746

P. S. I've inclosed my speech to the Council & Assembly, w^th their addresses to me on the occasion of this Expedition

His Grace the Duke of Newcastle &c &c &c

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 158.]

My Lords,

I have the honour of your Lord^pp's favour of 28th January 174$\frac{5}{6}$, acquainting me with the complaints of Mon^r de Gersdoff, in behalf of himself and his Moravian Brethren in this Province, touching an Act passed in Sept^r 1744 for securing his Maj^ty's Govern^t of New York.

Pursuant to Your Lord^pps desire I have inclosed a report of a Committee of Council upon that subject matter of your letter, to which I beg leave to refer, and hope it will prove satisfactory.

I am perfectly sorry, that the Secretary omitted writing to Your Lord^pps, with the Acts you mention to have received; at that time I was in a hurry to go for Albany, and depended upon his care of transmitting the Acts properly, neither did I conceive any of those Acts of such moment as to comment upon, however I shall take care, that they are more regularly sent to Your Lord^pps for the future.

I am extremly obliged to Your Lord^pps for the part you have taken in M^r Bayards appointment to be of the Council; I have received his mandamus for that purpose, and he was sworn and qualified the 9th instant and took his seat accordingly.—

I have very lately received his Maj^ty's commands, touching an expedition for the immediate reduction of Canada, whereupon I have called together the Assembly, and shall by the next opportunity more particularly acquaint Your Lord^pps, with what proceedings occur upon the occasion, and what has passed, since my advices to you of the 30th Nov^r and 18 Jan^ry last,

being now very busy, in endeavouring to execute his Majesty's orders on the part of the province in this extraordinary enterprize. I am with very great respect

My Lords,

Your Lordpps most obedient
humble servant

New York 21. June 1746. G. Clinton

P. S. I have but just time to inclose my speech to the Council and Assembly with their addresses to me on the occasion of the Expedition.

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) IX., 47.]

My Lord. (Duplicate)

The variety and multiplicity of business which have been thrown upon me by several unexpected incidents since I received the honour of His Majesty's commands by your Grace's letter of 9th April last, had so much employ'd my time that I am thereby (together with a present indisposition of body) disabled to digest an account of my Administration since that time into such method and distinctness as is proper to lay before Your Grace; but I have sent materials for that purpose to Mr Guerin, who with the assistance of my Secretary Mr Catherwood (being well acquainted with my affairs) will be enabled to do it, and to lay before your Grace at a proper season an account of the present state of this Province and of the Forces which rendevouzed at Albany and are now in the frontiers of this Province; and I must beg of Your Grace to receive from Mr Guerin such accounts as he shall find necessary to lay before you from the memorials which I send him.

As a faction was formed in this Province to distress me in the execution of my duty for His Majesty's service by which the expence to the Crown in the expedition agt Canada has been much increas'd beyond what would have happened had not the Assembly been diverted by this faction from the hearty inclinations they at first discovered in taking upon themselves as large a share of the expence attending this expedition as the circumstances of the Province can bear; and as many other inconveniences have arisen and may daily arise from the influence of that faction, I find it necessary to give a check to the power and growth of it. For which purpose among other things I must request that His Majesty will please to remove Daniel Horsmanden from His Majesty's Council of this Province, and that James Alexander be restored to his place and rank, which he formerly held in His Majesty's Council of this Province, which was that next to Cadwallader Colden. The reasons for my desiring Mr Horsmanden to be removed are, his being the chief contriver and actor in that faction, and being likewise of no estate in the Country and much in debt, whereby he may be too much exposed to temptations, when the secrets of the Council are (at this time) of great importance. The reasons formerly for removing Mr Alexander from the Council are a long time ceased, so far that His Majesty some years since has restored him to his seat in the Council of New Jersey, where I am well assured he has been of considerable use to His Majesty's service, and

particularly in what was done in New Jersey towards the expedition ag^{t} Canada. He enjoys a plentifull estate in this Province and resides in it, and I know no man in it of greater abilities or longer experience in publick affairs, capable of serving His Majesty and of giving a check to that dangerous faction. If your Grace shall think it necessary to be further informed of the characters of these two gentlemen, M^{r} Guerin will be enabled to do it from the memorials I send him.

I must likewise inform Your Grace on this occasion that had it not been for the assistance I received from M^{r} Colden at this time I had in a great measure been disabled by that faction, in performing the necessary services His Majesty has required of me in the expedition ag^{t} Canada and in the good government of this Province, and therefore I think it will contribute to His Majesty's service if he shall be pleased to appoint Cadwallader Colden Lieutenant Governor of this Province. He is now the first in the Council, and the Administration (as there is no Lieutenant Governour here) devolves on him in case of my death or absence. His obtaining this commission will be of use to me, some reward to him for his past Services, and may prevent inconvenient sollicitations on that head.

I have been under a necessity of drawing bills to a considerable value for the regaining the affections of the Indians, and the necessary services in the expedition ag^{t} Canada, otherwise the whole of it, so far as was to be carried on by the forces which rendevouzed at Albany must have failed. I transmit the Accounts thereof, and I hope, by Your Graces goodness, the bills will be paid, in justice to the persons who have paid mony on the credit of them and for encouragem^{t} of others who from the credit which the government will hereby establish, may be induced to advance money on any future occasion of the like nature.

The government of this Province is laid under the greatest difficultyes by the Assembly's assuming to themselves the sole power of judging of the merit of all the King's servants and of their rewarding them for their services; which the Assembly has carried to so great a heigth that several officers who while they faithfully supported the prerogative & the King's authority, either cou'd obtain no salary or reward, or had their usual salary curtailed, and now by turning into a popular faction, destructive of the true constitution of this goverment, not only obtain their full salarys but likewise extraordinary gratuitys, and this a Gov^{r} must comply with annually, or he and all the officers however faithfull, must go without any kind of support. The bad effects of this popular influence have most remarkably appeared at this time and may in time prove dangerous to His Majesty's Authority, not only in this Province, but in all the other Colonys, as the example in this government, immediately under the Crown and where a Governour in Chief resides, must have the strongest influence, in this case, on the others.

I must therefore humbly propose to Your Grace that the Quit Rents of this Province be reserved for the salarys of such officers who by the duty of their Office often become obnoxious to an Assembly, & for rewarding them for particular services; otherwise it will be impossible for any Governour, in the present state of this Province to obtain that influence which is requisite in good government.

On this occasion I think it incumbent on me to inform your Grace that if a Salary be annexed to the Commission of Lieutenant Governour, it may on several accounts be useful, even in the time, that a Governour in Chief resides here, as thereby the dignity of the Office can be better kept up, and he by his residing at Albany and taking care of the Indian Affairs be of considerable service; in which case M^{r} Colden may be of more use than another, as it is

known that he has particularly apply'd his thoughts to the Indian Affairs; but this salary can only be obtain'd out of the Quit Rents.

When in consequence of my treaty with the Six Nations of Indians, I had sent out several partys to harrass the French in Canada and to make reprizals for the barbaritys committed on our frontiers, one of these partyes, which brought up eight prisoners and four scalps from within a few leagues of Montreal, thinking this a proper occasion to have their complaint heard, came two hundred miles from their own habitations to present a petition to me, against Philip Livingston [Secretary] for Indian Affairs and Henry Barclay their late Minister now Rector of the Church in this place. This I promised to lay before His Majesty, knowing too well they cou'd not find relief in this place. At the same time I received a Memorial from William Johnson, whom I have appointed Colonel of the Warriours of the Six Nations, informing me of a meeting that was to be this winter, of several Indian Nations at Onondaga, some of which were lately in alliance with the French. I did not think it proper to lay this Memorial before the Assembly in order to obtain their assistance in sending persons to assist and take care of the British Interest at that meeting, but have chosen rather to send Col. Johnson at the charge of the Crown, who has on many occasions distinguished himself by his zeal and ability in serving his Majesty among the Indians; because I suspected the Assembly would insist on sending persons from Albany in whom I cou'd not confide. M^r^ Guerin will be able to inform your Grace of the particulars which oblige me to this conduct, and which are too long to insert here. I shall only add that I think it necessary for retaining the affections of the Indians that Philip Livingston be removed from the office of Secretary for Indian Affairs, as he has principally been the occasion of the disaffection that for some years past has appear'd among the Indians.

I transmit an Address from the Governour Council and Assembly of this Province, congratulating His Majesty on the victory obtain'd by His Royal Highness the Duke over the rebels, and in thanks for undertaking an expedition ag^t^ Canada.

Notwithstanding the many obstructions I met with to fulfill His Majesty's Commands in regard to the Expedition, I have been able to raise sixteen Companys for that service, who are all assembled in the frontiers, & having join'd the four independent Companys thereto, I divided them into two Battalions, with two Lieutenant Colonels and two Majors under my command; and as M^r^ Gooch declined serving on the Expedition, upon my leaving Albany, I gave the command of this Regiment and all the troops from the Southern provinces to Lieutenant Colonel Roberts, formerly an Exon in the Horse Guards,[1] and now of the first Battalion, who has behaved extremely well and preserves a good command, and I beg leave to recommend him to your Grace for his Majesty's favour, as also Colonel Johnson who commands the Indian Warriours; his Services having been very imminent for the good of the common cause ag^t^ the French, and has run great hazards of loosing his life by the Governour of Canada offering a reward for his scalp. I am with the highest respect, My Lord

Your Graces most humble
and most obedient servant
(signed) G. Clinton.

New York
9^th^ December 1746

His Grace the Duke of Newcastle &^c^ &^c^ &^c^

[1] He had been a Cornet of Horse at the accession of George the First, and was connected, by his first marriage, to the Earl of Halifax. His second wife was the daughter of the Honble. Francis Harrison of the Council of New-York. *Smith.* — Ed.

Petition of Mohawk Warriors to Governor Clinton.

[New-York. (S. P. O.) X., 187.]

To the Honourable His Excellency George Clinton Esq^r Captain General and Governour in Chief of the Province of New York and Territories thereon depending in America, Vice Admirall of the same, and Vice Admirall of His Majesty's Fleet of the Red Squadron.

The Petition of some Mohawk Warriors in behalf of themselves & their Brethren of the Mohawks & Conojohary Castle

Humbly Sheweth:—

That whereas some years past the Rev^d M^r Henry Barcly did officiate among us as a Teacher of the gospell and did dayly preach good things to us the Mohawks; we in relation for his singular service did make him a present of a spot of land very conveniently situated near the garrison, with intent nevertheless that the said piece of land should be and remain to the said M^r Barcklay during his being our Teacher, that ceasing, the s^d land to go to the next Minister that should come in his room, & so on from one to the other. But to our sorrow we find that M^r Barcklay has not only left us, for the love of money, but still claim'd the s^d land as his particular property, directly contrary to the meaning & intent of us the Donors. Wherefore in this point we do ernestly first beg remedy in the premises by some ways or means to have that land settled for a Minister for the time being, the building thereon erected by M^r Barcklay to be appraised & payd & another Teacher to be procured to us with all speed, & that no person whatsoever be admitted to buy one foot of our Flatts, either at the Mohawks or Conojohary from us. Then shall we see that you are intended to keep us clear & be convinced that our Brother highly loveth us. We shall not be wanting on our parts, as we have now lately done to shew our regard love & friendship we have for our sovereign King George & all his subjects.

In behalf of the Conojohary Castle we have this to desire that the patent which M^r Livingston has obtained for the Onowedage Flatts & some other lands lower down the River, comprised in the said Patent may be broke, it haveing never been bought from them or payd for, notwithstanding some Indian hands may be produced. This and such like dealings, with the bringing rum to our Castle, has made us dwindle away as the snow does in a warm sun shining day. Your high wisdom undoubtedly will find remedy to release a poor distressed people, who will use all means to return[1] their sinking condition by getting more Indians to live and plant among us. Your Excellency's care in this will effectually convince us that your Excellency loves justice & equity, & at the same time cause us as well as the Conojohary Castle to be easy in our minds & ready to embrace every oppertunity to shew our zeal and fervour for the English Nation and your Petitioners as in duty bound shall ever pray.

TEGARONDAGE.
LUYKAS.
SET.
ODYOUGHWANORON.
MOSES.
SHONAGARESE.
TEGANEGHSOREA.
TEGHHANAGEREGHKOUGH
SADEGARIWADE
TAYORHEUSERE.

[1] Quel retrieve.— ED.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 168.]

My Lords,

Since my last of 12. June 1746. wherein I acquainted Your Lord^{pps}, that I received his Maj$^{ty's}$ commands touching an expedition for the reduction of Canada, wherein it was recommended to me to engage the Six Nations of Indians to take part in this enterprise, and in pursuance thereto, I sett out for Albany the 17. July last, where I held a Treaty with said Nations for that purpose, a printed copy whereof I have inclosed to your Lord^{pps} as it will best explain the success of my endeavours on that occasion; notwithstanding, the Assembly refused contributing any encouragem^{t} to the Indians to join with us, and which will more fully appear in the course of their proceedings, which I have inclosed, and shall refer Your Lord^{pps} to the conduct of both, Council and Assembly with regard to their forwarding this expedition.

It has been my earnest desire, to prevent all misunderstandings and divisions at this time, and as I had reason to suppose that a Faction had a design to lay in my way all the difficulty's possible in the execution of my duty, I endeavour to put the Assembly on their guard against such designs, by some expressions I used in my speech at the opening of the Session; but as all my endeavours in opposition to that faction have proved ineffectual with them, I must submit my speech, the Assembly's representation thereon, and the several messages, which have passed between me and them to your Lord^{pps} consideration; that you may judge of the spirit of that Faction and of my conduct at this time, and I have ordered to be laid before your Lord^{pps} the present state of this Province and other particulars which I expect may be of use in forming your judgem^{t} which by reason of a multiplicity of Business and a present indisposition of body, I've not been able to digest into such form and order as is requisite to appear before Your Lord^{pps}—

In the mean time I have transmitted to Your Lord^{pps} the following Acts to which I have given my assent and are as follows. viz^{t}—

1. An Act to prevent the exportation of provisions, Gunpowder, Arms, all kinds of ammunition, warlike stores and white-pine inch boards.

It was necessary to pass this Act upon account of the expedition that the Crown and the Province might not be put to any extraordinary charge on that occasion.—

2. An Act for the more effectual preventing the exportation of provisions and warlike Stores

It was requisite to pass this Act that his Majesty's Fleet might not suffer for want of provisions if applyed for.

3. An Act for raising a supply of 40000 pounds by a Tax on Estates real and personal, for carrying on an expedition against the French in Canada; for emitting Bills of Credit for the like sum and for sinking and cancelling the said Bills in short periods and for other purposes therein mentioned.

As the passing of this Act is contrary to His Maj$^{ty's}$ instructions, I was not inclinable to give any Assent to it, but as this extraordinary occasion required a large sum to be raised, and that the like Bills have been passed by my predecessors, I took the opinion of His Maj$^{ty's}$ Council thereon who advised my passing it for the reasons set forth in the minutes of Council in passing a Bill of the like nature, a copy of which I have inclosed.

4. An Act for the encouraging volunteers to inlist into His Majes$^{ty's}$ service upon the expedition against Canada.

This was absolutely necessary to promote the service.

5. An Act to detach 300 Men from the City and County of Albany to serve on the intended expedition.

The passing this Act was occasioned by the people of the City and County of Albany refusing to serve on the Expedition.

6. An Act for impressing Ship Carpenters House Carpenters, Joiners, Sawyers and their servants, and all other Artificers, and Labourers, for the Building of Battoes and also for impressing Horses, Waggons and all other things necessary for the carrying on the Expedition against Canada with the utmost dispatch.

I was informed by one of His Majᵗʸˢ Council that if I issued my impress Warrants for the purposes set forth in this Act, they would not be obeyed, and for that reason I recommended the passing of it, that the service might not suffer through the obstinacy of the People.

7. An Act to revive and continue the several Actions, pleadings, Processes and proceedings, which were commenced and depending in the late Inferior Court of Common pleas for Westchester County.

This Court not meeting according to the usual time of holding it, by means whereof the several Actions depending therein were discontinued; it was necessary to pass this Act to continue the Actions and proceedings of that Court.

I have inclosed the Minutes of Council to the 22. October last—And am with very great respect My Lords,

Your Lordᵖᵖˢ most humble and
obedient Servant.

9ᵗʰ Decʳ 1746. G. Clinton.

Conference between Governor Clinton and the Indians.

[New-York Council Minutes, Albany, XXI., 194—204.]

Propositions made by His Excellency The Honourable George Clinton Esqʳ Captain General and Governour in Chief in and over the Province of New York &cᵃ To the Six Nations of Indians Vizᵗ The Mohawks, Oniedes. Tuskarorers Coujougas, Sinekas, Onondagas, and the delegates from the Missisages, being a far Nation. At Albany the 19ᵗʰ August 1746

Present—His Excellency
Cadwallader Colden
Philip Livingston } Esqʳˢ of the Councel
John Rutherford
The Commissioners from the Government of the Massachusets Bay
The Commisioners for Indian affairs
The Mayor and Corporation of Albany
And Several Gentlemen attending his Excellency and the Commissioners upon this Occasion

His Excellency being much Indisposed desired the Honourable Cadwallader Colden to Address himself to the Indians in his Excellency's name as followeth And at the same time Acquainted them with his Indisposition.

Brethren

I am glad to see so many of our ancient friends here and I heartily bid you welcome

Gave three Strings of Wampon.

I have called you to this place for two great Ends in which the province of the Massachusets Bay have sent two Commissioners to concur with me who are here present

The first is to renew the Covenant Chain with you and I now by this Belt in your Father the King of Great Britain's name in behalf of all his Majesty's Subjects in North America renew and confirm the Covenant Chain and all former Treatys and Engagements entered into with you.

This Chain has from the beginning remained so strong & firm that it has never once broke or Slipt since it was first made and we on our parts shall endeavour that it remain so unshaken as long as the Sun and Moon shall endure. Gave a Chain Belt.

Brethren

Last fall I told you that his Majesty's subjects in this Country had the Summer before lain still without attempting any thing against the French Settlements. But that the French had by surprize attacked and destroyed a small place near Cape Breton belonging to us. That they afterwards laid Siege to Annapolis Royal and were beat off.

I likewise told you that the Governour of the Massachusets Bay in conjunction with Connecticut and new hampshire had in Revenge to these injuries sent an Army against Louisbourgh in the Island of Cape Breton, that this Army was Joined by a Number of his Majesty's Ships of warr under the Command of your Friend Admiral warren. I told you that the Town of Louisbourgh which is the strongest the French have in America was reduced by this Force & that the French there had surrendered themselves and their Country to the English.

I likewise told you how we in this part of the Country had lain still hopeing that the French in Canada would either be quiet or carry on the war in a manly manner and after the Manner of Christians and to Induce them thereto a Message had been sent from this place to the Governour of Canada to tell him that if he should revive The inhumane custom of murdering private People by Sculking Indians that the several Governours of his Majesty's Colonys together with You our Brethren of the Six Nations would Join and make Reprisals on them in the like manner at which time you Publicly declared that if any of his Majesty's Subjects in any of his Governments should be Killed by any Indians you would immediately join in the war against them and the French.

And last fall when I delivered the Hatchet into your Hands you told me and Confirmed it with a Belt That you would send some of your people (who were then Ready) to Canada to demand Satisfaction and that if Satisfaction were refused you would use the Hatchet against them whenever I should order it, And you further promised that if the Enemy should commit any further Hostilities you wou'd then (upon my Command) immediately make use of the Hatchet.

I need not tell you how far the French have been from giving any Satisfaction, on the contrary you are all well informed of the Cruel and Barbarous Murders that have been committed since that time by the French and Indians at Saraghtoga and in the Neighbourhoods of this place and on the Frontiers of New England

And as you have not hitherto fullfilled your promise I suspect that they did not come from your Hearts: I therefore by this Belt demand an immediate performance of your promises to

shew that they come from the bottom of your hearts. as all the promises I make come from mine and ever shall Belt

Brethren

I now come to the second and Principal design of our present meeting In which I hope and expect to find you hearty and united in your Councils and Opinions A Belt

The King your Father having been informed of the unmanly Murders committed on the Frontiers of New England and of this province is resolved to subdue the Country of Canada and thereby to put an end to all the Mischievous designs of the French in these parts and for this purpose, he has ordered his Governours of Virginia, Maryland, Pensylviana, and New Jersey, to Join their Forces to the Forces of this Province to Attack Canada by Land They are all now upon their March, and you will soon see them meet here

At the same time the Forces of the Massachusets Bay Connecticut Rhode Island and New hampshire are to go in Ships to Cape Breton and there join with His Majesty's Ships of War and a great Army of experienced Soldiers from Great Britain

Many ships of war are already arrived there and some Thousands of Soldiers, many more ships and Thousands of Soldiers are following and I expect every Hour to hear of their Arrival after which the attack upon Canada will be made on all sides both by Sea & Land

You may perceive that the King has ordered a strength sufficient of it self to subdue Canada but at the same time the King Your Father expects and orders You his Children to join with your whole Force in this Enterprize and thereby gives the Six Nations a glorious opportunity of Establishing their Fame and renown over all the Indian Nations in America. in the Conquest of your Inveterate Enemies the French who however they may Dissemble and profess Friendship can never forget the Slaughter which your Fathers made of them and for that purpose caress those nations who have always been your most Inhumane Enemies and who desire nothing so much as to see the name of the Six Nations become decayed and forgot for ever Gave a Belt

Brethren

The French on all Occasions shew that they Act against your Brethren the English like Men that know they dare not look them in the face in day light and therefore like thieves steal upon people who do not expect them in the night and Consequently are not prepared for them Your Brethren in Revenge have acted like Men of Courage they do not attack poor Farmers at their Labour but boldly attempted the Reduction of Louisburg — the strongest Town the French had in America in the Fortifying of which they had spent above Twenty Years: it was Surrounded with Strong walls, and Forts in which they had planted their largest Cannon in every place where they thought the English could come near them and notwithstanding of all these precautions and advantages they were forced to submit to the English Valour

You must have heard from your Fathers and I doubt not several of your Old men still Remember, what the French did at Onandaga how they Surprized your Countrymen at Cadarackue How they invaded the Senekas and what mischief they did to the Mohawks

How many of your Countrymen have Suffered by the Fire at Montreal, before they entered upon their cruel and Mischievous designs; They sent Priests amongst you to delude you and lull you a Sleep while they were preparing to knock you in the Head. and I hear they are attempting to do the same now Gave a Belt

I need not put you in mind what revenge your Fathers took for these Injuries when they put all the Island of Montreal and a great part of Canada to Fire and Sword, can you think that the French forget this, No, they, have the Ax privately in their hands against you and use these deceitfull Arts. by which only they have been able to gain Advantage over you that by Trusting to them they may at some time or other at one blow remove from the face of the Earth the remembrance of a People that have so often put them to shame and Flight.

If your Fathers could now raise out of their Graves how would their hearts leap with Joy to see this day when so glorious an Opportunity is put into their hands to revenge all the Injuries their Country has received from the French, and to be never more exposed to their Treachery and deceit: I make no doubt you are the true sons of such Renowned and brave Ancestors Animated with the same Spirit, for your Countrys Glory, and in Revenge of the Injuries your Fathers received incapable of being deluded by the flattering Speeches of them, who always have been and always must be in their Hearts, your Enemies, and who desire nothing more than the Destruction of your Nation.

I therefore invite you Brethren by this Belt, to Join with us, and to share with us, in the Honour of the Conquest of our and your Deceitfull Enemies. and that you not only Join all the Force of the six nations with us. but likewise invite All the Nations depending on you to take a share in this Glorious Enterprize and I will furnish your fighting Men with Arms, Ammunition Clothing Provisions and every thing necessary for the War and in their absence shall take care of their wives and Children Gave a War Belt

Brethren

You have seen how daring and Insulting on you as well as us the French Indians have been, in Cruelly Murdering several of our people since you have come to this place and therefore for the many Reasons now laid before you I make no doubt but your Answer will Clearly manifest your duty to the King your Father and your Love to your Brethren and by this Belt I do Assure you that our intent is to live and die together. Gave a Belt of Friendship

Proposition made by His Excellency to the River Indians. at Albany the 21st of August 1746

PRESENT—His Excellency The Honoble George Clinton
The Gentlemen of the Council
The Commissioners from the Government of the Massachusets Bay
The Commissioners for Indian Affairs
The Mayor and Corporation of Albany

His Excellency addressed himself to the Indians as followeth

Children,

I am glad to meet you at this Time as are likewise the Comissioners from the Massachusets Bay who are come hither to concur with me upon the present Occasion;

And I take this Opportunity, to renew the Ancient Covenant Chain with You, in Behalf of this and all his Majesty's Governours in America which you know has always been kept bright and Clean without any the least Stain or rust. and which by this Belt I strengthen Belt

Children.

My meeting you here, besides renewing the Covenant chain, is, with Intention. that you should Join your Force with ours by takeing up the Hatchet against our and your Common Enemies the French and their Indians who have in a very unmanly manner by Sculking partys Murdered in Cold Blood, many of your Brethren, in this and the province of the Massachusetts Bay. This behaviour lays us under a necessity of making Reprisals on them, in the like manner in which I make no doubt of your Assistance. and we are resolved to take a thorough revenge of our and your perpetual Enemies by reduceing the Country of Canada. that it may never hereafter be in the Power of these perfidious deceitfull and Cruel People to do you, or us, any injury for the Future

For which purpose all the neighbouring Colonies (together with many Ships of War and Soldiers from Great Britain) are resolved to unite their force and to Attack Canada, in all parts, both by Sea and Land, and I make no doubt you will on this Occasion shew your selves dutyfull Children in Joining heartily with us and the Six Nations in this glorious Enterprize by which you will not only gain Honour and Renown but also Safety and prosperity, to your selves Your Wives and Children for ever afterwards and for which Ends I will furnish Your Fighting Men with Arms Ammunition, Clothing Provisions and every thing necessary for the War Belt

Answer of the Six Nations to His Excellency the Governour & to the Commissioners of the Massachusets Bay at Albany the 23d August. 1746

Present—His Excellency The Honoble George Clinton
The Gentlemen of the Council
The Commissioners from the Governmt of the Massachusets Bay
The Commissioners for Indian Affairs
The Mayor and Corporation of Albany & others

Brother Corlaer and Brethren of the Massachusetts Bay

We the Six Nations are now assembled together as one Man and we take in the Messisages for the Seventh Nation and what is now to be Spoken by one Mouth, are the joint and Sincere thoughts of every heart.

We are pleased that you follow the Steps of our Forefathers in Wiping off the Sorrowfull Tears from our Eyes by which the Stoppage of our throats is Opened and the bloody bed washed Clean Gave three Strings of Wampum

Brethren

The first time we met together we only Saluted each other by shaking of Hands and afterwards made a Covenant of Silver which we mutually have held fast to this day shou'd it now Slip from either of our Hands it would prove distructive to both sides since our Enemies have drawn the Sword. Gave a Belt

Brother Corlaer

Last Year You gave us the Hatchett to be made use of against your Enemies the French which we Accepted & promised to make use of if they should commit any further Hostilities upon the English which they have now done by destroying Saraghtoga and sheding a great

deal of Blood, hitherto we have made no use of the Hatchet, but as you now call upon us we are ready and do declare from the Bottom of our hearts that we will from this day make use of it against The French and their Children (meaning their Indians)

N B The question was Asked them by His Excellency whether by the words their Children they meant all the Indians in Alliance with the French to which they Answered Yes

At the end of the foregoing paragraph they threw down a War Belt of Wampum on the Ground, it being the Indian Custom to deliver War Belts or make Declaration of War in that manner this they did with remarkable Indignation intending thereby to express their Resentment against The French and their Allies and their Zeal for the English Gave a Belt

Brother Corlaer

According to your Exhortation in your Speech to us we are firmly united together and from this time to Act as having one Heart

The Messassagas are in the same manner Joined and United with us likewise the Southern Nations bordering upon us. and we now hope that you and the other Governours on the Continent will be in the same manner joined and united together Gave a Belt

They Repeated over his Excellency's Speech in relation to the Conquest of Cape Breton and hoped that our Fleet and Army may be also Victorious in the present Expedition against Canada adding that the French were a mischievous people Gave a Belt

As to your Suspicions of our Admitting French Priests among us they are become Groundless since we have now declared War against them: the admitting of priests would only tend to lull us asleep, on the Contrary shou'd any now dare to come we know no use for him or them but to Roast them

The thoughts of the Treatment we formerly received from the French thro' the means of their Priests. and which you have now seasonably brought to our Remembrance makes our Blood to Boil.

Brother Corlaer

This is the second time you have put the Hatchet into our hands, which we hereby accept and we are ready to go upon service: you may see that we have but a handful of Fighting Men here at present however some of them from each Nation. shall be left behind us to follow your Orders

When we arrive at our Respective Castles we shall send down a greater Number of our Warriors and those of the Nations in alliance with us assoon as possible

This we assure you of from the truth and Sincerity of our hearts. and we receive and shall preserve this large Belt (holding it up at the same time) which you have now given us as a War Hatchet

Brethren

This is the Belt (at the same time giving one) of Union with which we are to go hand in hand to the gates of our Enemies and by it we declare our Intention to Conquer or to Dye together in the Common Cause

There is a Nation called the Messissagas whose delegates are here present. they Consist of Five Castles containing Eight Hundred Men who are all determined and do agree to Join us in this Common Cause against our Enemies The French and their Indians; and we hope you and the Commissioners from Boston will use them in such a manner that they will go home contented & satisfyed Gave a Belt of Friendship

Answer of the River Indians to His Excellency The Governour and to the Commissioners of the Massachusets Bay at Albany the 26 August 1746

PRESENT—His Excellency The Honourable George Clinton
The Gentlemen of the Council
The Cômissioners from the Government of the Massachusets Bay
The Commissioners for Indian Affairs
The Mayor and Corporation of Albany

Father.

Wee are glad to see you and we are come to renew the Covenant Chain and make it fast and bright as ever, and free from rust, and as a token thereof we give you this Belt. Gave a Belt

Father

You have told us what mischief the French have done and what Murders they have Committed upon the Christians therefore we declare from our hearts and not from our Lips that as you have ordered us to shed the Enemies Blood in return for what they have done we are Resolved to do it and we will live and Dye with You in the Common Cause

When you Christians are at War You make Peace with one another but it is not so with us therefore we depend upon you to take care of us in Confidence of which we now take up the Hatchet and will make use of it against the French and their Indians

Gave Belt with a Hatchet

Propositions made by His Excellency the Governour to the Susquehannah Indians who are Tributary to the Six Nations. At Albany the 8th Septr 1746

PRESENT—His Excellency The Hon° George Clinton
The Gentlemen of the Council
The Commissioners from the Government of the Massachusets Bay
The Commissioners for Indian Affairs
The Mayor & Corporation of Albany

His Excellency Addressed himself to the Indians as followeth

Brethren

I bid you all heartily wellcome and thank You for your Coming to this place at my desire so soon

When I spoke to the Six Nations here and what I said to them I intended to be to all those of their Tribe that were absent as well as to those present and I understood their Answer to be in like manner in behalf of the absent as well as of those present so likewise the presents I made to them from the King Your Father was designed for the Absent as well as for those present

Brethren

I told the Six Nations that the King your Father having heard of the Mischiefs and barbarous Murders committed by the French and their Indians had resolved to send a great Army and

many large Ships to Attack Canada by Sea while at the same time his Subjects in the Several Colonys of New York New Jersey Pensylvania Maryland and Virginia were to Attack them by Land

That Several Thousand Soldiers and Several large Ships were already arrived at Cape Breton and I every hour expect to hear of the Arrival of the rest after which the Attack will be made on Canada on all sides by Sea and Land

I told our Brethren that tho' the Force which the King your Father has ordered against Canada be sufficient to reduce that Country Yet he Expects the Six Nations and all the Nations in Alliance with them will on this Occasion shew their Fidelity to the King their Father by Joining all their Forces with us in the War which the King Your Father is now engaged in against the French who have always been in their hearts Your Enemies as well as ours Notwithstanding any pretensions of Friendship which they may deceitfully make in order to lull you asleep

Our Brethren have Assured me that they will Join us with their whole Force against the French That they are resolved to live and Dye with us in the prosecution of this war and that they give me these Assurances from the Bottom of their Hearts in Consequence of which several of their fighting Men then present were Immediately to go out against the Enemy And they further promised. that they would send a much greater number from each Castle and from the Nations in Alliance with them to enter with us upon this Enterprize

Brethren

As You are all of the Six Nations your Readiness in coming at my desire confirms the truth of what was said to me at the General Meeting and Corroborates the Sincerity of the Six Nations

I now expect that you are resolved to enter immediately on Action with Us against the French in such manner as I shall direct and I will furnish your Warriors with Clothing Ammunition provisions and every thing necessary for the Warr

You may depend on it that every one shall be further handsomly rewarded, According to the Service he shall perform on this Occasion and the present Instance of your Affection to your Brethren shall never be forgot

Answer of the Susquehannah Indians to His Excellency the Governour and to the Commissioners at Albany the 9th September 1746

PRESENT—His Excellency The Hon^ble George Clinton
The Gentlemen of the Council
The Commissioners for Indian Affairs
The Mayor & Corporation of Albany &c^a

Brother Corlaer

We live at Oghquago the News that is sent from your Excellency through the Six Nations is not brought truly to us, nor the news that the Governour of Canada sends to the said Nations, we have not been taken Notice of nor Acquainted that your Excellency was to Treat with the Six Nations till the Interview was near over had we have been timely invited we wou'd have readily come without any hesitation to have heard what our Brother had to propose and if we

had any longer time we wou'd have come with a larger Number of Warriours many of them were on hunting we have sent the Belt Wampum to them to come and Join us here to Engage in the War as your Excellency shall direct against Our Cômon Enemies

Brother Corlaer.

You acquainted us Yesterday what you told the Six Nations and with their Answer: we are grieved that the Six Nations make no use of the Hatchet but keep it by them and do not send out their young Men to revenge the Murders which have been Committed by the Enemy

Brother Corlaer.

We are Surprized that the Hatchet has not been used against the French Sooner, it has been hid but now we shall make use of it against them to Revenge the Injuries done to you and your People our Brethren

We have received different News from the Six Nations at times it is as if the French be Masters of them but 'tis not so for they are a deceitfull People make fair promises and Speeches but not with a Design to perform them they Flatter themselves to be Masters of us all but they shall be mistaken for we will hold the Hatchet in our Hands and make use of it, against them.

The Destemper which Rages in this place has not prevented us to come hither to assist you in this War. against the French and their Indians we are not come to be Idle nor to Fish but to go to War. You are Master to hang over the Kettle of War

There are Several Roades that lead to Canada to Annoy them, we want to see the Hatchet to take it up on which His Excellency threw down a Hanger which the Speaker took up and Danced the War dance in the usual manner and desired their Brother Corlear to take care of them according to his promise.

His Excellency Answered that he returned them thanks for taking up the Hatchet against our Common Enemies the French and their Indians; that he will hang on the Kettle of War, and provide them with everything that is Necessary for the War, and Expect that they will go out as he shall direct, which they Promised to doe.

September 12th 1746

His Excellency in Council sent for the Oghquago Indians and desired the Interpreter to ask them what number of Fighters they had in Readiness to go against the Enemy, as he should direct

His Excellency also desired the Interpreter to tell them. That he had a present from the King their Father to give them likewise had every thing in Readiness to equip their Fighters. but that he could not well offer them any present from the King til he first knew how they were inclined to Act immediately in the War

That he proposed to send them on the outscout for the present, under the Command of an Officer and some white people til such time as the Army set forward

The said Indians Answered in the following manner by their Speaker Viz[t]

That the Six Nations have been lately in this place and are gone home again.

That the Number of Fighters now here are but few being Obliged to leave part of their People behind upon Account of the Sickness at Albany.

That it is a difficult part on them to Act with so small a Number that there is no certain time fixed when the Army is to March

That the Six Nations had a long War with the Flatheads, which by his Excellency's Mediation they have put an End to: But as His Excellency has ordered them to take up the Hatchet, which they have Accepted, they are determined to make use of it against the French, and their Indians. while the World lasts.

That as they are but a small Number, they desire to return home in Order to Collect a greater Number of their people, and then they will come in a Body against the Enemy.

That they desire the presents for their Wives and Children to carry home before they go out.

That Enounde Longhile says, That he will go among their Castles, and do every thing in his power to promote the present Service, and will come to any appointed time and place His Excellency will please to name, it being but a small Distance from their homes

His Excellency desired the Interpreter to tell them, that they had not given a direct Answer to his Questions (Viz) how many of their Fighters will go out, which they desired a little longer time to consider before they answered.

13th September 1746

His Excellency, in the presence of his Council, presented the foregoing Indians with a present from the King their Father, with which he Acquainted them Yesterday, and desired the Interpreter to tell them, that as he had kept his word with them, he hoped they would perform their promise to him, by sending out a number of their Fighters against the Enemy, in Conjunction with some white people he had in readiness for that Service

The Speaker in behalf of the whole, answered and said, that they are thankfull for the present the King their Father now makes them, and that he had used his utmost Endeavours to obtain the Number of Fighters his Excellency Expected, and was Sorry to tell him for the Reason given Yesterday, that he could not procure so many. But the Sachems of the different Tribes then present, had agreed to leave twelve of their best fighting Men, to Scoure the Woods along with such people as his Excellency should send with them, and as they were Strangers to these Woods, he hoped they would be taken care of and not suffered to be cutt off by the Enemy, and that his Brethren would return home, and in less than ten Days send a greater Number to relieve them, and as they had taken up the Hatchet they would never lay it down till they had Subdued the French and would always be ready to Appear & Join our Forces at any time or place his Excellency should Appoint with their whole Strength

N B Notwithstanding they promised only twelve Fighters to Stay behind they left Sixteen who went out with a party of white People

Messrs. Alexander and Morris to the Duke of Newcastle.

[New-York. (S. P. O.) X., 165.]

May it please Your Grace. (Duplicate)

John Hamilton Esqr President of His Majesty's Councill and Commander in Chief of the Province of New Jersey upon whom that Government devolved by the death of the late

Governor Morris, being sensible that the bad state of his health rendered him incapable to represent to Your Grace the state and condition of the Province, requested us the subscribers who are of his Majesty's Councill to do it.

In complyance with which request we beg leave to acquaint your Grace that on receipt of Your Grace's letter of the 9th of April last signifying His Majesty's pleasure relating to an expedition against the French settlements at Canada, he immediately communicated the same to the Councill and Assembly who with great chearfullness made provision for raising 500 men for that service for transporting them to Albany & for supplying them with provisions, and at the same time lent the government 10000 pounds, to enable the President to furnish those troops with arms & cloathing.

Upon this the President issued a proclamation signifying His Majesty's intention and gave warrants to several gentlemen to raise companys in the Province and such was the diligence of the persons employed on that occasion and the zeal of the people to serve His Majesty on this expedition that in less than two months the whole five Companys were complete and ready for service, of which the President advised Mr Gooch, and in the beginning of September those troops arrived at Albany with their Cloaths, arms, provisions, & other necessarys where they still continue, and have since been supply'd with provisions to last them till the next Spring. For a more particular account of what has been done in New Jersey on this occasion, we beg leave to refer Your Grace to the minutes of the Councill and Assembly wch are herewith.

We wish we could give your Grace as agreable an account of the internall peace of the Province of New Jersey, which during the long illness of the late Governor Morris was much disturbed by two several riots or rather insurrections at Newark in the said Province, of which he laid some account before your Grace. He was fully apprehensive of the dangerous consequences of those attempts to throw off his Majesty's authority and their dependance on the British Throne and therefore recommended it in very strong terms to two different Assemblys, but in vain. Whether their intention in refusing to join in measures effectually to put a stop to such an evil was in order to distress the late Governour (with whom they had a dispute) or whether they were influenced by other motives, is what we dare not take upon us to determine, but certain it is they took no measures effectually to prevent & discourage the like for the future either in the late Governor's time, or since his death, tho that matter has been twice strongly recommended to them by his Honr the President. And we cannot but be of opinion that it is owing Chiefly to their not joyning in the measures proposed for restoring the Peace of the Province & preventing like riots for the future nor proposing any other effectual measures for that purpose, that the many other great riots, publick breaches of the peace, combinations against & contempts upon His Majesty's authority, have been entred into & committed; in consequence of which the course of common justice is at a stand.

It would greatly exceed the bounds of a letter to enter into the particulars of those riots, wherefore we have made a state of the facts concerning them, referring to the vouchers from which we have collected those facts, with a few remarks thereon; which state is herewith & with coppies of most of those vouchers from which those facts are collected.

Upon the whole we beg leave to observe to your Grace that such open and avow'd attempts to throw off His Majesty's authority will be attended with the most unhappy consequences to the Plantations, as the infection is daily spreading, and as the delinquents do daily increase in number, it may soon become general and disturb the quiet of many of the colonies, if timely and effectual methods are not taken to prevent the like for the future.

The officers of the government of New Jersey have been without any support or salaries to enable them to execute their offices ever since September 1744. and so they continue to be, which we conceive to be chiefly occasioned by the Council & late Governour's refusals to pass an Act for making current 40000 pounds in bills of credit, which act was several times past by the Assembly & as often refused by the Council or Govern^{r} because they conceived it would tend greatly to the destruction of the properties of the people of New Jersey & of all His Majesty's subjects to whom they are or may be indebted, and because at that time the frauds and abuses of paper money in the Plantations were under the consideration of the British Parliament. We are

May it please Your Grace
Your Grace's most obedient &
most humble serv^{ts}

New York
December 23. 1746

(signed) Ja. Alexander
(signed) Rob^{t} H: Morris.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 162.]

My Lords

It may be necessary to take notice of a publication made by the Council in a common news paper call'd the New York Post Boy of the 8th December 1746.

Before this publication was made, M^{r} Colden the Senior Councillor told me, that he was surprised upon his coming into the Council Room to see every member present, which he thinks would not have happened at that time as few attended before, had there not been a private application to them separately; he further told me that M^{r} Chief Justice produced the printed paper called a Treaty ettc. and moved that the printer should be sent for in order to know, who had given him the copy; M^{r} Chief Justice further insisted, whether M^{r} Colden has ordered it to be printed. The whole of this proceeding being a surprise on M^{r} Colden, and on his seeing most of the Council prepared (three of them Lawyers) expressing themselves in formed speeches, he hesitated a little in answering to that question, but in less than half a minute owned, that he had directed the printer to publish it by my approbation; then M^{r} Horsmanden moved that the paragraph read by the Chief Justice should be censured as an invidious, malicious and false representation of facts; upon which M^{r} Colden observed that declining might be with a lawful excuse, as well as without it, and thought they would not dispute the matter of fact; to which M^{r} Horsmanden answered: it is a sophistical way of arguing, and was going on warmly when M^{r} Colden desired him to have regard to the decency of proceedings in Council, and the regard that was due to him, while he had the honour to be in the chair, and further told them, that if they took any thing amiss in this publication it would be more proper to take notice of it when they acted as privy Council, than in this place, where the Council only Acted as a part of the Legislature; upon which M^{r} Chief Justice dropping M^{r} Horsmanden's motion, moved to have that paragraph censured, as an invidious

representation; to which Mr Colden said, he believed this paragraph could be cleared from the envy that they charged on him; then they insisted on having the question put, and it was accordingly carried; so far I am informed by Mr Colden. I shall only observe, that it seems to me the publication of this resolve without any manner of application to me, plainly shows, the spirit by which they intend to Act vizt by moving up a popular faction; otherwise if any of the Council had been guilty of a misdemeanour of this kind, where I must know the truth, it would have been proper in them to have applied to me for redress, which in this case, they have in no manner done. Application to the people from the house of Representatives has some colour of excuse, but when the Council endeavours to set up a popular power, and neglect any application in the proper way, but make themselves both, partys and Judges, it seems to have a tendency distructive of all good Govern^{t}. This with several other instances to be given of the late proceedings of the Council and Assembly of this province, evidently show how necessary it is to curb this spirit, otherwise I know not to what length it may go; it will plainly appear from several instances that there is an endeavour in a faction to run Mr Colden down, and they may think, that if they can succeed in this, considering his Station, all others will have dread to oppose them; but notwithstanding of all their endeavours to move the people, they no ways succeed in that point but otherwise.

The General view of the late proceedings of the Council and assembly is to make it appear in England that Mr Colden is a person disagreable to both, the Council and Assembly.

In answer to this it may be asked, is there any thing or can any thing be shown in his conduct, that deserves their displeasure if the real service of the King and Country be made the rule, by which our judgement is directed. If no such thing appear, the whole must arise from the power of a Faction, that is otherwise influenced, than by the publick service; is it not then necessary to suppress such views, as tend to publick prejudice. If the small number of the Council and Assembly be considered, and the low condition of life and ignorance of the greatest number of them, it may be in the power of one man of superior fortune and numerous Relations, if he once gets the greatest numbers of such as depend on him into the Council and Assembly, and into all the Offices of the Govern^{t} to influence the whole in such manner, as he shall think fit; But then the sence of the people in general may be very different from what is expressed by their Representatives, and it is certain, great numbers think differently from them already, and perhaps when a proper opportunity offers, the people will show that they generally dislike the late proceedings of the Assembly. —

I am with very great respect
My Lords
Your Lord^{pps} most humble and
obedient servant
G. Clinton.

No date.
Rec^{d} in England
Feb^{ry} 4. 174$\frac{6}{7}$.

Minute of the New-York Legislative Council.

[New-York Council Minutes, Albany, XXII., 56—58.]

Thursday the fourth day of December 1746: P: M:

The Council met According to Adjournment

PRESENT—The Honoble Cadwallader Colden Esqr Speaker

Philip Livingston		Daniel Horsmanden	
Archibald Kennedy		Joseph Murray	
James De Lancey	Esqrs	John Moore	Esqrs
Philip Courtlandt		Stephen Bayard	

The Speaker assumed the Chair

Mr Chief Justice De Lancey took Notice, That as the Business of this Session was now Compleated, He had Something to offer to the Council, which arose from the perusal of a pamphlet that had lately fallen into his Hands Entituled "A Treaty between his Excellency the Governour and the six united Indian Nations, and other Indian Nations depending on the Province of New York, held at Albany, in the Months of August and September 1746" (Which pamphlet he had in his Hand) Wherein was a Paragraph, page 3, in the Words following. Vizt

> "His Excellency the Governor of New York, having received his Majesty's "Commands, to engage the Indian Nations depending on his Government, to join in "the Expedition then intended agst Canada, and to make them the usual Presents on "that Occasion; and being sensible of the great Use these Nations may be to the "Success of this Enterprize, and likewise of the Difficulties that probably might "attend his Endeavours at this Time, was desirous to have had the Assistance of as "many of the Members of His Majesty's Council as the Circumstances of Affairs "would admit; but they all declined to give their Attendance except Mr Colden & "Mr Livingston: His Excellency was therefore obliged to act with the smallest "Number of Members, which by his Majesty's Commission can form a Council, Vizt "Three; the above two Gentlemen, and Captn Rutherford, who was then at his "post in Albany."

Which paragraph, he conceived, did contain a Misrepresentation of Facts, and an invidious Reflection upon such of the Members of his Majesty's Council as did not attend his Excellency to Albany; He therefore moved that the Printer might be ordered to attend, and be examined, that the Council might be informed who gave him the Copy with Directions to print it; Which Motion being seconded by Mr Murray; Mr Colden confessed that he had delivered the Copy to the printer; and being thereupon asked, whether he gave him Directions to print it? he replyed, he had delivered him the Copy: Which Confession not being satisfactory, he was again aked, Whether or no he directed him to print it? And it was said, That in Case he did not give a direct Answer to that Point, the Council would insist that the Printer should attend, who no doubt would inform them of the Truth of the Matter: Whereupon Mr Colden confessed also, that he did direct him to print it; and afterwards, owned that he was the Author, but said, he had no Intention to reflect upon any of the Gentlemen of the Council.

After some Animadversions made on the said paragraph by Mr Chief Justice, Mr Horsmanden & Mr Murray, Mr Chief Justice further moved, That a Censure might be passed upon the said paragraph: and that the Council would come to the follow'g Resolution thereupon; and on the Question being put, it was accordingly

Resolved, That it is the Opinion of the Council, That the aforesaid paragraph contains a Mis-representation of Facts and an invidious Reflection, upon the members of his Majesty's Council, who remained at the City of New York, during his Excellency's Absence at the late Treaty at Albany.

And as the said pamphlet is dispersed in print;

Ordered that the said Motion and Proceedings and this Resolution, be forthwith printed.

Then the Council adjourned till to Morrow Morning 11 oClock.

Mr. Colden to Governor Clinton.

[New-York (S. P. O.) X., 174.]

Janry 29th 174$\frac{6}{7}$

May it please your Excellency.

I heartily thank your Excellency for doing me the justice to send me a copy of a Representation made to your Excellency by some of the members of His Majesty's Council for this Province, dated the 10th of last month, which by reason of the severity of the season which had rendered the river impassable and the distance of my house from New York, did not come to my hands till the fifteenth of this month at night. I am sorry that any thing personally relative to me should be the occasion of so much trouble to you, but as all the matters which are the subject of that representation are better known to your Excellency than to any other person, even many of them better known to you than it is possible they can be to the gentlemen themselves who make the Representation, I shall chearfully submit to your judgement after that I have brought back to your remembrance some circumstances of facts mentioned in that representation, which these Gentlemen think proper to pass over, especially as to that paragragh in the printed narrative of your Excellency's treaty with the Indians at Albany, which they censure.

It is true as these gentlemen say that your Excellency in Council desired to know what number of the gentlemen of the Council would attend you to Albany, and who would. But these gentlemen omit two material circumstances. One is, that I was not present at that time in Council, being then gon out of town to visit my daughter in the country: the other is, that they named me as a proper person to attend your Excellency on that occasion. If I should repeat the reasons which I was told they gave for naming of me for this service, it would become one of the *observable little instances of vanity calculated principally with a view to raise a character*, with which these gentlemen charge me; therefore I shall leave it to them to tell what the reasons were for naming me rather than another. But I must observe that it could not be true that I refused to go, when I was not present, and could not know that I was named. It is true that afterwards in conversation among ourselves (not in Council) I did object to it as a particular hardship on me to be singled out (for as to Mr Livingston his office as Secretary for

Indian Affairs made it his duty to attend) and I think it ungenerous in them to repeat any casual words which I used in conversation at that time. I am sure should I repeat what some of them said at the same time, I could not escape blame.

The truth of the matter is this; that as I was not present in Council when your Excellency desired to know who would attend you to Albany, I cannot of my own knowledge say what pass'd that day in Council; but your Excellency afterwards when you desired me to attend you to Albany, told me that the others (except Mr Livingstone) had declined that service, and for the truth of this I must appeal to your Excellency.

However Sir it is confessed in their own Representation that all desired to be excused (except Mr Cortlandt who was absent as well as my self) and that I likewise desired to be excused, or rather as they express it that I refused to go, and they desired to be excused from going; but that I afterwards was prevailed on to go (for I did go) and they insisted on their excuse, for they did not go. This is the state of the Question confess'd on all sides and I must leave to your Excellency to determine which of us *declin'd going*.

Your Excellency knows that the printed Narrative of your Excellency's Treaty was published several weeks before the time that the Council were pleas'd to censure this paragragh mentioned in their Representation. From the time that it was published, till that day, I was frequently in conversation with these gentlemen, and tho' I beleave none of them doubted of my being privy to that publication, yet none of them at any time took notice of any injury that they thought was done to them by it, till that day: when coming into Council while the Council met in their Legislative capacity (at which time your Excellency is not present) I was surprised to see all the gentlemen of the Council met; for before that time several of them seldom attended as will appear by the minutes of Council & adjournments were frequently made for want of a sufficient number. Mr Chief Justice took the printed narrative out of his pocket and spoke to the purpose as set forth in the censure printed in the New York Post Boy of the 8th of Decr Mr Horsmanden and Mr Murrey made set speeches. As these were all lawyers, and prepared, and the whole a surprise upon me, I was not ready to make such proper answer as perhaps I should otherways have done. But I observed I thought it would be more proper to enquire into this matter in a Privy Council where your Excellency must be present, than now when we are met by ourselves. To which the Chief Justice answered something as to the power of the House of Lords with respect to Privy Councillors at the same time Members of their House; which as I did not understand how he applied it to the present case, I cannot repeat. But my reason for saying this inquiry was more proper for the Privy Council was, that in the present case we were all parties, but in the Privy Council your Excellency could judge between us. Your Excellency from your knowledge could judge of the truth or falsity of it, as you are indifferent between us. I likewise told them that if they thought that there was any thing in that paragraph that by mistake or unguarded expression threw any unjust reflection on the Council, I would join freely with them in doing justice to every one, if the proper steps were taken for that purpose, but I did neither confess nor acknowledge in the manner set forth in that publication, and that minute was drawn up and publish'd without being communicated to me. I think it not fair to repeat in so solemn a manner as that of a Representation from the Council any extempore and unpremeditated expressions that any person may use, without giving him an opportunity to explain them or excuse them; yet from their example I think I may on this occasion be allowed to tell your Excellency that the Chief Justice in this debate said:—That some of the Council of this Province, and named Mr Phillipse,

had been removed from the Council by a false representation made of his being a Jacobite. This gentleman was removed in the first year of Mr Burnet's administration, and tho' I then liv'd in this Province and have been in it ever since, this is the first time I ever heard of this reason for that gentlemans removal. I do not know what Representation Mr Burnet made to the King which occasioned that gentleman's removal, but I have heard & I believe it to be true, that it was for a misdemeanor, of which proof was made, and which then was not doubted to be true, and which perhaps can at this time be proved to be true, it was known to so many persons at that time, & I believe the truth of what I now say may appear from papers in the office of the Lords Commissioners for Trade, or in the Secretary of State's Office.

How the Chief Justice came to make the assertion he then made I know not, but if I be allow'd to follow these gentlemens' example, in forming conjectures of other people's intentions, it might have been with intention to raise a jealousy among the members of His Majesties Council of some such base design at this time; and it is well known that insinuations of this kind will influence weak minds that are not capable of judging of the merits of the mater in debate, and may prejudice those who are more capable. What other motive could induce the Chief Justice to speak in this manner at this time I must confess that I cannot imagine, & I must leave it to your Excellency to judge whether this surmise that I make, be with or without sufficient grounds. I think it the more necessary to take notice of this in the Chief Justice, because I believe that this and such like false suggestions have been the principal means by which many in both the Council and Assembly have been lately prevailed upon on several occasions. In the last place I must observe to your Excellency that the method which these gentlemen have taken to censure this paragraph, cannot be justifyed by any precedents in Parliament (unless it were in the worst of times when there was a settled design to destroy the Constitution of the Government) thus to apply to the people by publication, without any address or application to your Excellency or to any other superior authority, who have a right to judge in matters of this kind, and after they had thus endeavoured to prejudice the minds of the people then to apply to your Excellency. Such methods are at all times (except where open resistance becomes necessary) look't on as dangerous and destructive of good government, and are less excusable in those employed in the administration, than in others.

I am truly surprised with the next charge against me in the Representation made by these gentlemen, that I advised your Excellency not to lay the proceedings of the Council at Albany before the Council at New York according to your Excellency's declaration. What your Excellency's declaration was I know not, being absent, but I must appeal to your Excellency whether I ever, at any time gave such advice as these gentlemen insinuate or have given the least ground for this assertion; neither can I imagine to what purpose such advice could be given, sence those minutes were afterwards, as I believe, lodged in the Secretary's office, as usual. While your Excellency was at Albany you had various affairs and you was obliged to employ your Secretary in much writing, who was deprived of the assistance of a clerk, whom your Excellency carried to Albany for that purpose, by the Clerk's being taken sick & returning to New York. For this reason your Secretary had not time to fill up the minutes with Copies of some papers, which were referred to in them, but left blanks for their being inserted afterwards. These papers were in your Excellency's custody. You told me after my return to New York that in the hurry of putting up your papers when you left Albany you had misplaced one material paper which was to be inserted in the minutes, and that you had been searching for it, and I know no other reason for the delay in depositing the minutes of the

Council at Albany in the Secretary's Office, but this. Your Excellency had been absent about three months from your family; the Assembly was to meet in a few days after your return, and you had all the matters to prepare which were to be laid before them. Before your Excellency could do this, you was taken dangerously ill, and by these means you could not look over the numerous papers you had brought with you from Albany in quest of that paper which was misplaced. But as I informed your Excellency that the gentlemen of the Council intertained some jealousy of the reasons why the Papers were not lodged in the Secretary's Office, your Excellency was prevail'd on before you was well recovered, to search for that paper, and as soon as it was found, so far as I know, all the papers were deposited in the Secretary's Office.

I come now to a very memorable transaction of a Committee of Council in which I own that I difered much in opinion from the other gentlemen of the Council, which occasioned some debate between them & me; but I think it an unusual hardship put upon me by the Representation of these gentlemen, to be put to answer for extempore words, used in the heat of debate, when the words were not taken down in writing and excepted to at the time; but at two months time afterwards they are excepted to, when it may be impossible for me to recollect the occasion of my speaking them, and I must charge this method of proceeding both as unusual and unfair. And tho' I be at present under a very great disadvantage, by my being in the country by myself without any assistance to recollect things past so long sence, now above three months, and to answer the studied and premeditated charge of two Judges and a noted Attorney assisted with the memories of others, who perhaps do not understand for what purpose their memories are made use of, I trust to the force of truth and to your Excellency's candour in judgeing. For this purpose I must give your Excellency an account of several facts which these gentlemen have thought fit to omit. I even perswade myself that when your Excellency observes at what pains these gentlemen are to recollect every casual word that I have at any time spoke, and the artificial turns given to my words that you will think they are at some loss to find real causes of complaint against me; and this observation, so obvious thro' the whole of their charge, gives me a good deal of confidence in making my defence.

But to return to matters of fact. The Committee of Council (for a Council of State when your Excellency is not present I do not understand) taking into consideration your Excellency's Referrence to them for advice (more properly than Message) since your indisposition rendered you incapable of being present, it was objected that they could not give an opinion without previously knowing what orders your Excellency had given to Coll. Roberts the Commanding Officer of the new levied forces in this Province. To this I answered that I did not know that we had a right to demand a particular account of your Excellency's orders to the army and of every military interprise that your Excellency should think proper to undertake, & from the nature of things it is impossible and would be highly inconvenient that every interprise of the army should be first debated in Council of State, by men who have no pretentions to military knowledge and at 100 or 200 miles distance from the army; at least these were my sentiments at that time, and these gentlemen gave no reasons to make me alter my opinion. I said that whatever the orders were, tho' never so necessary, it was plain, from his Excellency's references & Col. Roberts' letter, they could not be executed while the Commissioners witheld the provisions. But as they insisted that the orders to Col. Roberts must be previously known, and that they could not give an opinion without knowing those orders, I had nothing more to say than to desire them to put this down as a reason why they could not give an opinion.

I do not remember any thing as to the minutes of Council that their not being communicated came into debate, but as it is usual for men who design to perplex to bring in matters foreign to the debate, it is not improbable that something of that kind might then be talked of, tho' at present I do not remember it. And as it had been insisted on that the gentlemen of the Council who attended your Excellency at Albany, were only a Committee of Council, probably I have denyed it; for in this case your Excellency could have no advice of Council till the opinion of this Committee be approved of in Council. Upon this supposition a majority of the members of Council may refuse at any time to attend your Excellency and set up an independent authority, and say, that your Excellency and the Members who attend you have no right to proceed on any business, but what is referred to your Excellency by the majority, and I must continue in this opinion, while I think the other opinion directly contrary to our constitution, and till they give me reason to alter it, which as yet they have not attempted. But however this be, it appears by their own Representation that what they thought your Excellency ought to have communicated to them and was properly under debate, was your Excellency's orders to Coll. Roberts. I remember very well that the question mentioned in the Representation respecting these orders was asked me, and that they were asked me by Mr Murray, and the questions were put by him personally to me, and his words were not directed to the Chairman, and in that case I was in the right to say I would not answer his questions even tho' his questions had been pertinent, and otherwise ought to have been answered; which in this case I am humbly of opinion they were not. For, as by the constitution of this Government, in case of accidents the command of these forces might devolve on me, your Excellency may have very cogent reasons to communicate to me matters relating to the army, which you may not think proper to communicate to others. But even supposing the case otherwise and that your Excellency thought proper to communicate any thing to me, which you did not think proper to communicate to the others, it was certainly my duty to keep the secret, and if they think they have a right to know it, they ought to demand it of your Excellency; which was all that I insisted on.

After the Committee of the Council had gone through all the heads of their report, except the third Paragraph, Mr Cheif Justice, who happened to sit next me, entered into conversation with me while the Clerk was taking down the heads agreed upon, for a report, about the Winter Camp, an expression in your Excellency's speech to the Assembly. On this I said he could form no judgement of it, till he was inform'd of the nature of that Camp, and the purposes for which it was design'd; and after a few words the conversation ceased, but it was probable the others heard what passed between the Cheif Justice and me. After this the Clerk read over the heads which he had taken down, and it was ordered that Mr Horsmanden, the Chairman of the Committee, should draw up the report in form from these heads, and send his report to all the Members present, and if they severally approved of it, to sign it, and deliver it to your Excellency. Now in the heads read over by the Clerk, there was not one word relating to any thing in the said third paragraph, and when the Clerk brought the report to me next day for my perusal, I objected to that third paragraph as no part of the heads agreed to by the Committee for their report: to which he answered, "*I told Mr Horsmanden that I believed you would object to that part:*" and then I bid him carry it back to Mr Horsmanden, and tell him that I object to that part as no part of what was agreed to by the Committee, and I expected that Mr Horsmanden as Chairman of the Committee would have desired the Committee to meet again to put this question out of dispute: but he without calling the Committee sign'd

the Report, and delivered it to your Excellency. Your Excellency may remember that when this report was read in Council, I objected to this paragraph for the reasons I have already set forth, and appealed to the Clerk for the truth who I supposed had the heads agreed to, then to produce in evidence what I asserted. But the gentlemen then present thought proper to rise up one after another and positively to assert that this paragraph was agreed to in the Committee, and said that the Clerk was not to be heard in contradiction to them. But notwithstanding of this, I positively affirm the fact to be as I have related it; and I shall add one reason for confirming it, That as in your Excellency's written referrence & in Col. Roberts' his letter and in any paper referred to that Committee, there was not one word of a Winter Camp, or of the disposition intended to be made of the forces, that paragraph could not in any propriety be made part of the Report. The dispute here related only to the truth of a matter of fact, and justice requires truth to be sacred in all publick enquiries, and therefore when the publick character of the persons concern'd in this debate is considered, it very much concerns His Majesties justice and the safety of every man in this Province that people do not put their confidence only in power and number, without any regard to truth, and I earnestly desire that this matter may be strictly inquired into; for I doubt not before impartial judges the force of truth in this case will be greater than that of power or numbers.

Your Excellency in answer to that part of the Report which reflected on your Excellencys not communicating to them the transactions at Albany took notice that the gentlemen of the Council at New York had taken upon themselves the administration both civil and military, that though you had been so long return'd to this place, they had made no report to you of their proceedings, and that two days after they knew you was returned the Officers of the Militia had been served with their orders, and which had never been communicated to you; on which you made some observations and directed that what you then said should be entered on the minutes. On which some of the gentlemen acknowledged their error and prayed that your Excellency would not order any entry to be made. On which I moved that the Council would likewise take back their report, which had given occasion to those remarks on their conduct made by your Excellency, which being agreed to, your Excellency then told them how desirous you was to have a good understanding with them and that you would at all times be pleased with their giving their advice freely, either jointly as a Council or separately as they should think best. Upon which I was in hopes all things would have been restored to a harmony; but differently things turned out is too well known to your Excellency for to make it necessary for me to repeat. But I do not remember, and I positively deny that I made any promis that any papers of any kind should be laid before the Committee, neither can I imagine what could induce me to make such a promise, if I had, sence no publick papers were in my hands, nor did I at any time concern my self as to what papers your Excellency should think proper to lay before the Council; neither do I at this time know what papers your Excellency has put into the Secretary's Office.

As to your Excellency's Speech, Mesages and Prorogation of the Gen^{l} Assembly, I shall only say that your Excellency told me that you had advised with the Cheif Justice and the Speaker of the Assembly both as to the Speech itself and as to the manner of sending it by reason of your indisposition, & I must leave it to your Excellency to say what advice they gave you. I have been for a longer time in the Council than any in it; I do not remember that any Governour advised with the Council as to his speech & messages, or as to prorogations. This is a part of the Prerogative lodged with the Governour solely, and I beleive these

gentlemen can give no instances to the contrary, except very lately, when designs, as I apprehend, were on foot præjudicial to the constitution as established by his Majesties commission to the Governours in Cheif of this Province.

As to the reason why your Excellency did not communicate to the Council the minutes of the Commissioners for Indian Affairs, giving an account of Hendrick the Indian's transactions in Canada, I can say I know as little of that matter as any of them can pretend to, and I beleive much less than some of them; because they know them to be of importance, which I do not. But I am at no loss to discover the reason why your Excellency could not take that affair under your consideration at that time. Your Excellency had drawn bills for very large sums for engaging the friendship of the Indians and for defraying the expenses of the Expedition intended against Canada, which the Assembly of this Province had refused to undertake. You was then making up your accounts and writing you letters, when the ships for England were to sail in a few days; and this is so obvious and well known that these gentlemen may be ashamed to say they were at a loss to discover it, and at the same time it too evidently shows how desirous they are to throw blame on me.

May it please your Excellency:—

It is impossible for me to give any answer to the general allegations made by these gentlemen without the least proof, that all the differences which lately happened have been occasioned by my ill advice and that there was a perfect harmony between your Excellency, the Council, and the Assembly till that time which they imagine that I intermedled in the publick affairs. I must submit to your Excellency's own knowledge as to this, and I make no doubt your Excellency will at least give me this testimony, that I was very sensible of the difficulties that would arise in consequence of the measures which your Excellency enclined to follow, and that I took upon me to give no advice but what was of your Excellency's repeated desire, in such manner as I could not refuse consistently with my duty. Your Excellency can best tell whether I had any hand or was so much as privy to the real cause of all the differences which have lately happened in this Province: whether very remarkable differences had not arisen before I came to town, while I was, as these gentlemen say, attending my ordinary domestick affairs in the country: whether before that time a stop was not put to the zeal which the Assembly had expressed for contributing liberally towards the expences of the expedition. Your Excellency can best tell (sence these gentlemen own that I was then only minding my private affairs) who, and what measures, were the principal occasions of this and of several other difficulties Your Excellency was unexpectedly thrown into in the public administration of affairs, when you was engaged in matters of the greatest importance, and that these things had happened before your Excellency required my attendance in Council, and when it is not presumed I had any share in them. I have only given my assistance to extricate your Excellency from the difficulties that were laid in your way in order to perplex the publick affairs, and my having had some success in this and preventing the slur which was designed to be thrown on your Excellency's reputation, I am convinced you are well satisfied is the real cause of all the resentment which has fallen upon me.

And on this occasion I hope that your Excellency will pardon me if I remind you of what you seemed lately very sensible, that all the difficulties you have met with are owing to the advice your Excellency received at your first coming to this place, by which you gave up those powers in government, by which former Governors preserved the authority and dignity of their

office, and thereby gave some designing men the hopes of making your Excellency and all future Governors meer dependants on a faction. Your Excellency is now sensible how dangerous these concessions have proved to his Majesties authority in the hands of his Governor, and may hereafter prove to the dependency of this Province on the Crown; and it is truly the strugal for power in a faction, that is the rèal cause of all the uneasiness which has happened to your Excellency, and of this the generality of the people of this Province are truly sensible. Your Excellency will perceive from some things which I have been obliged on this occasion to write in my own defence that I have been so far from giving your Excellency an ill impression of these gentlemen, that I have concealed things from you that might greatly have served for that purpose had it been my design.

I shall not attempt to give any return to the wit with which that performance is embellished, because the wit only serves to show the true disposition of the mind and the rancour with which the author writes; neither do I envy him the peculiarity by which he always distinguishes and makes himself known in putting the worst and most unnatural construction on words that it is possible they can bear.

On the whole I think I may be allowed to say, that it is an invidious misrepresentation of facts, and however the author may have endeavoured to cover his envy, it at last breaks openly forth in the last paragraph save one, in the following words.

Mr Colden has told the world in print of his being the next person to your Excellency in the Administration. We shall not make any reflections on this circumstance, but leave your Excellency to consider whether it may not be his interest to imbroil your Excellency's affairs and distract your administration, the consequence of which may be his getting the reins of government into his own hands; and here perhaps your Excellency may find that which was intended to be a reflection on others "one of those artful and designing men who have private views."

What Mr Colden, as they say, has told the world in print, I suppose must refer to page 9th of your Excellency's treaty with the Indians when last at Albany, which in the printed account thereof is said to be introduced as follows:—

His Excellency our Governour having been taken ill and as yet not so well recovered as that he can safely come abroad, has ordered me (being the next person to him in the Administration) to speak to you in his name, which I shall do in the same words which he designed to have spoke had he not been prevented by sickness.

Tho' I cannot clear myself from my share of vanity, a weed which is observed to grow luxuriously in an American soil, yet any one with a moderate share of candour would put a favorable construction on Mr Colden's telling the Indians on the occasion of his speaking to them in a publick treaty, that he was the next person to the Governor in the Administration as it shewed his Excellencys respect to the Indians, and likewise gave the greater credit to what was said. It seem'd reasonable to tell the Indians why your Excellency had made choice of Mr Colden rather than another, and I must leave it to this author of wit and penetration to give a better reason for the choice, because I cannot give any other, and I beleive it was the true reason. Why this came to be printed I can give no other reason, but things were to be told truly as they were, and if it be considered that every man in this Province knew that I am the first in the Council or the next in the Administration as certainly before this publication as afterwards, I could not have my vanity much encreas't by it. But what follows in the paragraph appears too openly invidious, when in the whole Representation they have not been able to give one instance of my stirring up disscentions and differences among the

branches of the Legislature to lay so heavy a charge without one proof is something very extraordinary in view of their publick character and then likewise to insinuate to your Excellency that I design to supplant you, without the least colour to support it, I know not how any thing like this could be defended among gentlemen in common conversation, much less so in so solemn a Representation, wherein they value themselves for their moderation in their censure of me.

For as to all the instances given in this Representation they only relate to differences between these gentlemen and myself, and no way concern your Excellency and the other branches of the Legislature. Have I not then much reason, from this Representation, to charge some of them with a design to supplant me in any expectation I may have of the Administration devolving into my hands after 24 years service in His Majesties Council here.

I have one comfort under all these heavy charges, that as your Excellency knows well all the publick transactions, and knows better than any other what advice I have presumed at any time to give you, your Excellency can be a true and indisputable wittness between these gentlemen and me. And as I have reason to apprehend that tho' this Representation was made to your Excellency, it is designed to take effect (if possible) in some other place, where the truth of facts cannot be so well known, and where they hope their number will be reckoned as a number of witnesses in evidence of the truth, I must appeal to your Excellency in my own vindication, and I doubt not you will do the justice of telling the truth. That this is the view of these gentlemen in their Representation, I think it is evident from the time they have chosen to make it. I was above two months at New York during which time I was, as they say, sowing dissentions between your Excellency and the other branches of the Legislature, I was misleading your Excellency with design to supplant you, I stay'd ten days after the Prorogation of the Assembly, yet in all that time they did not warn your Excellency against these, as they pretend, mischeivous designs, but chose to give in their representation after I was gon into the Country at above sixty miles from New York, and when all communication was cut off between my house and the town.

But notwithstanding of all this the confidence I have in the penetration of his Majesties Ministers if they can have time only to read over the publick transactions since the 6th of June, the time sence which they say your Excellency received advice from me; what your Excellency has done for His Majesties service since that time; your Excellencys speech & messages; the representations of Assembly, and of these members of Council, and the resolves of Assembly in answer to your Messages; I am perswaded no doubt can remain with them from whence all these publick differences arise. A scene will open to them not only of oppressing the innocent by meer power and number but likewise of blasting the reputation of his Majesties servants in the highest stations in this Province in the faithfull performance of their duty. And I hope his Majesties ministers will think it incumbent on them to give an effectual check to such designs of a faction as have a natural tendency to destroy the publick safety and security of the Province, and the private safety of every person in it, and I will take the liberty to say that if something be not at this time don, to give the power of the faction a check, few if any in this Province will after this run the hazard of given them any opposition.

On this occasion I think it my duty to take notice to your Excellency of several scandalous papers publish'd by the publick printer who is in the pay of this government, reflecting in such a manner on your Excellency's administration, that strangers may be apt to imagine that the course of the Law is at present shut up, and the Province is subject to military law and

execution; than which nothing can be more false, and nothing more effectual to alienate the minds of the people from their duty. I beleive it will be difficult to assign any reason for this Printer depending on the government, thus daring to publish in open defiance of the Administration, but the confidence he has in the power of a faction. Please to see the New York Weekly Post Boys, published since I left the Town, of the 15th and 29th of December, for proof of what I now say.

Being informed that the last vesel which is to go in this season, for England, is ready to sail about this time, I am oblig'd to hurry my self in making this answer that if possible it may reach your Excellency's hands before that vessel sails. And therefore I must beg of your Excellency to excuse any inaccuracy, or other defect, which may appear in it, and which perhaps I might have avoided had more time been allowed me. With confidence therefore in your Excellency's candour and justice, this my defence is humbly submitted to your Excellency's judgement by

Your Excellency's

Most obedient & most humble Servant

(signed) CADWALLADER COLDEN.

(Indorsed) "29 Janʸ 174$\frac{6}{7}$
"Doctor Coldens Answer to the
"Council's Representation agˢᵗ him."

Governor Clinton to the Duke of Newcastle.

[New-York (S. P. O.) X., 191.]

New York 11th May 1747.

May it please Your Grace. (Duplicate)

I understood from your Grace's letter of the 9th April 1746. that I was to endeavour to levy as great a number of forces within my government, as I could, for an expedition which His Majesty intended against Canada, that the like orders were given to the Governours of the neighbouring colonies, and that all the charges of levying those forces, arming cloathing & paying them &ᶜ were to be defrayed by the respective Assemblys of the Governmᵗˢ where they were levied, or by General Sᵗ Clair who was to command in Chief on the said expedition, or by some other person to be appointed by His Majesty for that purpose. And tho' the rendezvous of that part of the forces wᶜʰ was to go by land was directed to be at Albany within my government, yet I had no other nor more particular directions in this affair, then such as all the neighbouring Governours had, the command of that part of the forces being given to Mʳ Gooch, Lieutenant Governour of Virginia; but Brigadier Gooch having declined to take the command & the other Governours having declared that they had nothing further to do with them after they were in my government they having marched to the place of rendezvous, I was under the necessity to take the Command of them by virtue of His Majesty's Commission to me, appointing me Captain General of the Province of New York and the territories thereon depending in America & of the Colony of Connecticut; & from the necessity of affairs I thought my self obliged in duty to His Majesty to take care of them & by some means or other

to defray all the necessary expences for their support & good government, I applied to the Assembly not only at first as the other Governours to their respective Assemblies, for the charges attending the levying these forces, for provisions & other incidental charges that must attend this service, & at two several times since they came more immediately under my care & command, viz^{t} last fall as soon as all hopes of General S^{t} Clair's arrival were given over, & again this Spring; but they absolutely refused to contribute towards any other expence besides that of provisions & of transporting the provisions to Albany. I informed Your Grace by several opportunitys last winter, what sums I had been obliged to advance for that service & without which the intended expedition must necessarily have fail'd & by what means I had procured the money.

As I have to this day received no orders or instructions other than those already mentioned, & did expect that orders would be sent early this Spring in relation to these troops, I thought it my duty to decline acting in every thing that could be delayed, till such time as such orders or instructions should arrive, & as the troops at Albany were cloathed & had provisions I thought the paying of them might be differed till His Majestys pleasure should be known thereon & of which I have daily expectations. But about the 26th of April last several companies of the new levies refused to do duty, & afterwards many of them left the places where they were posted for the security of the Frontiers, & marched in bodies to Albany, & the mutiny became general throughout the New Levies of all the Colonies, that are now in this Province on the Frontiers towards Canada. I immediately, by express, acquainted the Governours of Massachuset's Bay, & Connecticut with what had happened & desired them to send detachments of the forces in their respective governments to support the garrison at Saraghtoga, where a train of artillery & warlike stores are lodged & which is most exposed to the enemy. At the same time I desired them to march what force they could to their own Frontiers towards Albany to support me on all events & to prevent the ill effects that may happen from any intelligence the enemy may receive of these disorders among the forces on the frontiers, which are at no great distance from the French garrison at Crown Point. At the same time I beg leave to inform your Grace that I have good reason to believe that this mutinous disposition among the forces was raised and afterwards fomented by falce reports & insinuations made industriously among them by disaffected persons, particularly that while they received no pay they were not properly soldiers nor subject to martial law, & that I had received no orders from His Majesty to pay them. This spread the more because persons in authority here & of great influence took no care to suppress or otherwise oppose the spreading of such reports, tho' from the knowledge they had of your Graces letter & of the state of affairs they must be assured that these reports of my having orders is absolutely false.

Having often consulted and advised with His Majesty's Council of this Province on this emergency, they were of opinion & advised me to pay forty shillings current money of this province to each private man of the New Levies including those of the other Colonies w^{ch} now are in this Province as well as those levied in it & two months pay to the Officers, & to promise to pay to the private men twenty shillings a month till such time as I shall receive His Majesty's orders with respect to the pay of these forces, they were of opinion that there is an absolute necessity for this at present, & that there is no method for obtaining the money but by my bills of Exchange on the pay master of the army. I have accordingly drawn Bills of Exchange for five thousand five hundred pounds sterling, at Ninety days sight.

Since the Assembly had at several times formerly & in their session this Spring absolutely refused to contribute towards any expence besides that of provision I was under a necessity of complying with this advice of Council, for if the new levies should continue to mutiny this & the other Colonies must be in danger not only from the enemy, but exposed to the ravages & other disorders of mutinous soldiers. As I have now engaged my own fortune for the payment of these bills entirely for His Majesties service without a possibility of private profit thereby to my self, I must entreat Your Grace to lay the case in such manner before His Majesty, that my family may not suffer, as consequently I must be at considerable charges for the receiving & paying & carriage of this money to the far distant places at which the Companies are or shall be posted, & other contingent charges—I must likewise beg of your Grace that some method be taken for the paying of them. That the pay of the officers & men be bona fide made, & all frauds as much as in my power prevented, I have appointed Cadwallader Colden Jun^{r} Commissary of the Musters, in whose ability and integrity I have reason to confide, & I shall order all the methods to be taken which the circumstances of affairs & of the country will permit for providing proper vouchers according to the directions of the Act of Parlement. I must therefore desire your Grace to procure his Majesty's orders for the paying of this Officer, since I must advance for him as for the other Officers. The money is already sent to Albany, but as I have no account of it's arrival, I know not what success may attend my endeavours towards satisfying the soldiers & bringing them back to their duty.

I have sent such papers to M^{r} Guerin as I think may be of use for your Graces further information, together with my speech at the opening of the last sessions of Assembly here & a message I afterwards sent to them & their resolves thereon; by which Your Grace will be better enabled to judge of the state of this Province, & I presume your Grace on perusal of them will be more convinced of the necessity of recommending to His Majesty those alterations in the Council and appointment of a Lieutenant Governour which I proposed in my letter last winter, being in my opinion necessary for His Majesty's service & supporting me in my administration of the government. On this occasion I must inform your Grace that M^{r} Colden (the elder) continues to assist me chearfully against a most unreasonable as well as ungreatfull opposition, notwithstanding that his assistance is with considerable prejudice to his private affairs, & therefore I must heartily recommend him to his Majesty's favour in some shape or other, & I must beg your Grace's pardon in saying that if those who distinguish themselves in support of His Majesty's authority be not likewise distinguished by His Majesty's favour, it will perhaps become impracticable for those in the administration, to support it in any of the colonies against the power of a faction that may be formed to the prejudice of the Royal Prerogative.

I hope your Grace will excuse all faults on account of so much business & great hurry I am in, there being three different opportunitys offers at this time for England & obliged to write by all, to give notice of my drawing those bills, for fear of accidents.

I am, with the greatest regard

My Lord

Your Graces most obedient humble Servant

(signed) G. Clinton.

Governor Clinton to the Lords of Trade.

[New-York Papers. Bundle Gg., No. 168.]

My Lords,

The General Meeting that has lately happened amongst the New Levies raised in this Province, & of the Neighbouring provinces now about Albany, occasioned by the want of pay, and the sudden departure of this Vessell, won't permit me to acquaint Your Lord^{pps} of any steps lately taken, only what is inclosed; but by the Mairmaid Man-of-War Capt^{n} Gayton who is soon to sail from Boston, I am in hopes of being able to give a further account of my proceeding, as also an answer to Your Lord^{pps} quarryes, but at present am in the greatest hurry imaginable. I am

My Lords,

Your Lord^{pps} most obedient
humble servant.
G Clinton.

New York, 12. May, 1747.

Extract of a Letter from Colonel Johnson to Governor Clinton.

[New-York Papers. Bundle Gg., No. 170.]

24th April 1747.

"The Party of Indians I sent out under the command of Lieut^{t} Walter Butler Jun^{r} against the French are returned, and have met with success, the particulars of which are as follows: They set out from the Mohawk Castle the third of this instant and went to Crown Point, where they lay two days upon a hill, from whence they had a good view of the Fort; they discovered nothing except two large Canoes full of Men, that they saw go from the Fort towards Albany, and by the shouting the Men in the Canoes made as they left the Fort, it was concluded that they were going to scalp, the third day the party came down from the Hill and divided into two parties, one of which consisting of thirteen men came upon the tract of several persons going towards the Garrison, they pursued them till they got within half a mile of the Fort, when they discovered a party of the Garrison resting on a fallen Tree, and were employed in beating and dressing some toutch wood which they had found in the woods where they had been upon the patrole; our thirteen Indians took the opportunity of approaching under a Bank; by the advantage of the Bank they got very near the French without being discovered, and found that the Enemy consisted of twenty seven Soldiers and three Indians; our Indians fired upon them and killed three whereupon the Enemy flew to their arms and returned the fire briskly but without any execution, our Indians having loaded again gave them a second volley killed one more and wounded three, upon which the Enemy retreated, but one of their Officers brought them back to their ground again, and then they fought smartly and the Chief of our Indians was wounded through the breast and one arm and another slightly on the knee, upon this it is said our Indians inraged fought more like Devils than Men, one of our Indians run up (on observing one of the French Indians presenting his piece) within ten yards of him and discharged his piece loaded with Swan shott into his breast, upon which he fell down dead, the other two French Indians, on this, run for it; this discouraged

the French so much that they all likewise fled towards the Fort, except two Officers and a Serjeant who continued fighting bravely till they all three fell; Part of our Indians in the mean time pursued those that fled, till they came within Musket shot of the Fort and say they saw nine wounded men carried into the Garrison by the others; they then returned to the place of Action, but observing a party from the Garrison coming after them, they had only time to take six scalps, the Enemy pursued them closely two days, till they came to a lake from whence a River issues that runs towards the Mohawk Castle. One of the French Officers, the Indians say was a young Man dressed in blue, with a broad Gold lace who faught with undounted courage till he was greviously wounded, and then he called out for quarters in the Indian language; but perceiving his wounds were mortal they dispatched him; this is esteemed the galantest Action performed by the Indians since the commencement of the present War. There are several other parties of Indians going out against the French, who i'ts hoped will meet with success."

There is other partyes gone to Canada which I expect in dayly, and I shall continue sending them out the whole summer which will alarm them so in their different parts, that they won't know what to do, & I assure your Lord^{pps}, the Indians all now begin to be in earnest & mean well, which, their actions, I hope, will even convince the people of Albany.

G. Clinton.

Mr. Edmund Bainbridge to Mr. Nathaniel Camp.

[New-York Papers. Bundle Gg., No. 172.]

Sir.

Having waited till now to hear from you though I cant say with patience, tho' I hope you have not forgot us, Sir, I should be glad to hear what progress was made at Court, and whether or no M^{r} John Kinsey undertook for you or not, and whether or no, you advised with him if ours and yours could be joined together; we also desire if you have drawn your congratulation, together with your Petition, you will be so good as to favour us with a copy, it may be of service to us allowing you to be the Elder Brethren, if you have not compleated it desire it may be done as soon as possible, you are sensible, one prevention is worth a good many remedies, would if possible be in readiness, you are sensible our adversaries have little else to do but to watch all opportunities to oppress us, whenever it lies in their power ettc (But adrom[1] as I came home, I called at Perth Amboy to speak with my old Friend as I observed to you, and he told me a lamentable story, how the Authority chiefly pointed at me in particular, and that it lay in the Chief Justices power, to issue out his precepts and send us all to New York Fort and there to be continued till the King's pleasure was known, and then very like, our lands would fall to the King and we transported ettc; I answered it did not surprise me, I chused the King should have it rather than the proprietors, and as toutching the transportation, I chused it, for if I lost my Estate and could not live in fassion, should chuse an unknown land; however, we parted good friends, and he requested for the future, I would keep myself clear of

[1] *Sic.* Qu? as soon. — Ed.

any thing of the like king, and he would do his utmost endeavours to clear me of what was past etc. However, in a few days after we got home, there came two Gentl[n] from Bethleham(*) to request us to come up to them, to consult with their Committee; I was indisposed and could not go, but Anderson went, and a vast number mett together who all appeared very hearty in the affair; it would be to tedious to relate all passages; however on conclusion, the hats went round to gather pence as its customary for the Irish Priest, satisfy our Committee for going up, but was not accepted. Sir, humbly beg you will comply with this my request and you will very much oblige him who is always ready to serve you when you please to command your Friend and very humble servant.

EDM[d] BAINBRIDGE

P S. Sir, please to give my humble service to all friends as if particularly mentioned and in particular to M[rs] Wheeler, shall never be able to make her satisfaction for all kindnesses received; so conclude yours as before. E. B.

Maidenhead. Apr: 7 1747

To M[r] Nathaniel Camp living in Newark

Rec[d] the inclosed in a letter from W[m] Chetwood dated 7. May 1747. as p[r] certificate thereon.

ROB[t] H. MORRIS
JA: ALEXANDER.

Mr. William Chetwood to Mr. Morris.

[New-York Papers, Bundle Gg., No. 172.]

D[r] Sir,

The inclosed letter I found open in the manner you receive it a few days ago on a table in one of my Rooms; in what manner and who left it, there, I cant find out, but as it was open, I had the curiosity to look into the contents, and as I find it is intended and calculated to inculcate and encourage the scheme of the rioters and as it comes from Bainbridge, who, I believe is an Enemy to M[r] Coxe and whose hand perhaps he knows, I thought it my duty (as I found it in the manner I did) to send it to you rather then to the person to whom directed, for I know him to be one of the Newark Committee and I believe a principal in these seditious proceedings. I intended to have waited on you myself, but have for some time past and am still so troubled with a swelled face, and cold I have got, that I cant possibly do it. I am with all due regard

Dear Sir—Your most obed[t] serv[t]
W[m] CHETWOOD.

Elizabeth Town,
7[th] May 1747.

To the Honb[ble] Rob[t] H. Morris Esq[re] Chief Justice of the province of New Jersey.—Present.—

(*) Betleham is where the Moravians live.

Received this letter and the inclosed marked with my name at length and the name of James Alexander, on the 8th day of this instant May 1747. from Anthony White, who informed me he had it from the above named Wm Chetwood.

Robert H. Morris.

May 18th rêcd. this letter and the inclosed marked as above.

Ja: Alexander.

Affidavit of Solomon Boyle of Morris County, N. J.

[New-York Papers, Bundle Gg., No. 173.]

The Information of Solomon Boyle of Morris County sworn before Robert Hunter Morris Esqre Chief Justice of the Province of New Jersey.—

This Informant saith, he is settled on a Tract of land upon Pisaick River being part of a Tract of 2000 acres formerly patented to Robert Barclay about one mile from the house of Justice Daniel Cooper who is also settled on part of the said 2000 acres; that about the end of October last being at the house of Samuel Woodruff Alderman in Elizabeth Town, he was there desired by several persons, particularly one they called Lawyer Daniel Clarke and one John Osborn both of Elizabeth Town, to acquaint Daniel Cooper that in a fortnights time the Mob intended to pay him a visit, and that he heard said Clark say that he would accompany that Mob, which with the frequent threatnings of the Mob since to turn said Cooper out of Possesion, has occasioned this Informant as he was settled on the same right with Cooper to be almost in continual fear ever since. This Informt saith, that he lived about three miles to the westward of the house in which Joseph Dalrymple lately lived, the said Deponent having executed a Bond wherein he stood Bound for James Barclay a person settled on the said place whereon Dalrymple lately lived, and which Barclay so being in possesion and threatned to be used by the Elizabeth Town people received a protection from the Council of Proprietors to defend him at their charge against all such suits; that the said Barclay should deliver up posession of the said place to the heirs of William Dochwra to whom the said tract of land belonged, which Mr James Barclay afterwards sold the improvements of the said place to this informant who settled the said Dalrymple upon it, in order to fulfill the agreement entered into by the said Barclay with the proprietors; this Informant also says, that he came to said Dalrymple's place, just after the house was broke open and the said Dalrymple with his wife and children turned out of doors on the 8th of April last by a number of persons with Clubs, that he saw several of the persons concerned in that Riot, carrying the Man's goods out of the House, some in particular he remembers to have been present and active therein to witt: Nathll Davis (who was called their Captn) Abraham Hendricks, Daniel Little of Turkey, Nathll Rogers, Wm Johnston, Wm Breasted, and James Hampton of Morris Town, which late two was put in posession of said place in Room of Dalrymple; the said James Hampton at the time of being put in posession being by them called Mr Cross; that upon this Informant hearing the said Nathll Davies called their Captn by the said Rioters, it put him in mind of his having heard on the last training day being the sixth day of April on Monday, the day appointd

by Act of Assembly, the company at Turkey gave out, that they had liberty to chuse new officers, and that they either chose or were about to chose the said Nath[ll] Davis for their Capt[n] and one Badgely Lieutenant, which information this Informant heard delivered to Caleb Southward Lieut[t] of the Comp[y] of which this informant is Clerk and Jacob Carle is Capt[n] by a Constable of Turkey whose name this Informant doth not at present remember, but will take care to find out. That when the said Dalrymple and his wife and Child and the Cat were turned and taken out of the house, the said Davis proposed that they might be put in posession of the place again if he would agree to take it under Cross and Breasted and be ready to go out upon their summons; to which this Informant answered that Dalrymple could not take it on them terms, because, besides the loss he was already like to sustain he was bound to him and the proprietors to keep the possesion for the heirs of Dochwra to whom that land has been laid out near sixty years ago; and this Informant also told them that he was bound to the same purpose; that then they desired to know where his Bonds was, saying that if he desired it, they would get it if they knew who had it in keeping, to which this Informant answered, he did not know who had it but if he did he should not apply to them to get it, and this Inform[t] further saith that he with the said Joseph Dalrymple on the second day of this instant, had occasion to go to Turkey, where they saw at Abraham Hendricks house the said Abr: Hendricks Daniel Little and he thinks Isaac Hendricks and some more that were present a turning Dalrymple out of possession and as this Informant has been told by Daniel Cooper and Moses Ayres, that since their turning Dalrymple out of possesion, they said they were misled and were sorry for it; he then asked if it was so, and if Dalrymple should again Lawfully be restored to his possession of the place whether they would disturb him any more, some said they would not and others said they would not promise, but said merely in these words that if the thing was to do again and if we had the same information, which we now have, we would do it yet; this Inform[t] then said, he thought such Actions of their weakened their claim and that turning people out of posession that had been so long settled was taking upon them to try the title, which they acknowledged and said it was the Towns land, meaning Elizabeth Town as he understood and that they should have it and that it was time they should have it, for that as they had been ruled by an arbitrary power, they themselves now Ruled by an arbitrary power and had put their hands to the plow and would not quit it till they had got justice to take place; why, says this Informant, does not justice take place, have there not been several Tryalls and have you not applyed to England, and is not the case now depending at Law, cannot you be patient till it is decided or do you think the King or Court will like you the better for acting as you do and how will such proceedings settle Titles; they answered, when the King should have notice that such a multitude of his Subjects in the Jerseys are turned Mob and act as they do, he will say or think, whats the matter with my subjects? surely they are wronged or oppressed or else they would never Rebell against my Laws, sure some grivious oppression hath caused them to act thus or else they never would have done it or some words to this effect or so, said they, he will order us to have our land; they, also said the Land at Turkey and much further was theirs and they would have it as far as they claimed, and that there would be more such doings by the Mob than ever yet has been done in the Country, and the reason, why they stopt proceeding now, was, that it looked barbarous to turn out people so late in the year as it was planting time and hard to get new places they did not design to turn out any this spring except one Sherrard (or some such name) on M[r] Dunstars land as he understood him they said, they designed to turn out quickly but not

many more till fall, but then they would proceed faster than ever yet and this Informant further saith, that on the Friday following, being last Friday he was told by Jacob Beadle who he verily believes is privy to the proceedings of the Mob and who this Informant has heard approve of said proceedings that the Mob intended to take M^{r} Dunstar and put him in Gaol or send him to England to answer for what he had said, and upon this Deponents saying he did not believe that, for that they meddled only with poor folks that were not able to oppose them, said Beadle answered that they would not appoint a day least he should hear it and run away, and this Deponent saith that the said Beadle lately told him that he claimed under Elizabeth Town Right 100 acres of land in possession of one James M^{c}Key between the first and Second Mountain, and its currently reported that the Mob are going to turn the said M^{c}Koy off and to support said Beadle's Claim and this Deponent further saith that on the aforesaid Training day two days before Dalrymple was entirely turned out but after the first Riot which was committed in the night at the said Dalrymple's near the house of Oukie Johnson this Deponent had discourse with the aforesaid William Johnson, (Nath^{ll} Rogers, Breasted and others being present) gathered in a small body) and this Dep^{t} said that Joseph Dalrymple was like to be a great sufferer if they proceeded to turn him intirely out as they said they would, seeing he was bound to keep possession from any under the Elizabeth Town Claim, till they got it by Law, Johnson said, they had got it by Law, this Dep^{t} asked him if he called that Law; yes, says Johnson by Club Law and called their proceedings a Court of Equity, asserted that it was preferable to the Common Law as it was now made use of; and this Deponent further sayth, that on Saturday the 2nd day of May aforesaid, at the house of Abr: Hendricks aforesaid in company with the Rioters aforesaid in conversation with them, he alleged, that if he had had an opportunity to inform them, the truth of the case, he believed they would not have done in the affair of Dalrymples but he did not know then where to apply, the said Abr: answered, that for the future the place of meeting upon such occasions would be at his house where any might be heard that would, and this Depon^{t} further saith, that he sayd to the said Abraham that their Court was different from any other Courts by proceeding and giving judgement on hearing one party only to which Abrah^{m} replyed, that for the future they intended to proceed otherwise and not to act or proceed till they received the complaint and defence of the parties in writing, this Depon^{t} further saith that the Rioters and their Friends give out and it is the common Report that they are not affraid of any thing the Govern^{t} can do to them, for that at least one tenths of the people of New Jersey are of their opinion in great measure, that wishes them well and will stand by them, that they had also many friends in New York, Long Island, Pennsylvania and New England who would assist them if applyed to, and this Depon^{t} further saith, tho' he has bonafide purchased where he lives under the Patent of Rob^{t} Barcley which he has heard proved by two evidences that said upon oath that they knew the place from its first settling and that it was in the possesion of those who held it under proprietory rights for near forty years past and that peaceably till of late; yet such is the terror that he lays under upon aforesaid informations and threatnings and seeing such an example made of Jos: Dalrymple in turning him and his family out of doors in such a manner though settled as he thought on a good footing and by these Rioters claiming an Elizabeth Town Right, which drove the said Depon^{t} to that extreamity that he applyed to a principal Man, who claimed that Right for the favour of a protection to save him from the Rioters and obtained one in these words:

"To whome it may concern know ye, that whereas the land whereon Solomon Boyle now lives is supposed to be a Lott of land laid out and drawn on Robert Bonds Right whereof one equal half undivided belongs to me and dreading the danger of some who may put him and his family to hardships, this is therefore to testifye, that I allow him to live peaceably thereon for six months from this tenth day of April 1747."

SOLOMON BOYLE.

Sworn the 13th day of May, 1747. before.

ROBT H. MORRIS.

(affidavit about Moravians)[1]

Governor Clinton to the Duke of Newcastle.

[New-York Papers. (S. P. O.) X., 218.]

New York 23 May 1747.

May it please Your Grace.

Besides the other reasons for my paying some part of the arrearages due to the forces levied on the expedition designed against Canada, Mr Scuyler who (it is said) has a Commission from the President of New Jersey to command the forces levied in that government, his giving out that he would pay the whole of the arrearages due to them under his command, made it absolutely necessary to do at least what I have done.

As soon as I heard of the mutinous disposition among the forces at Albany I was at the same time informed that Mr Scuyler had given out that he was resolved to pay the troops (under his command) the whole of the arrearages due to them, I informed the President of Jersey of my resolution by the advice of His Majesty's Council of this Province to pay 40s pr man in part of what was due to the forces at Albany without distinction of what Colony they belonged to, & to continue to pay 20s pr man monthly, till such time as His Majesty's pleasure should be signified to me.

I informed him likewise that it was not thought advisable to pay the men their whole pay at this time supposeing that money sufficient could be procured for that purpose, which however it is thought could not be obtained, because there would then be no tie to prevent their desertion.

The President & Council of the Jerseys approved of these reasons, & wrote a letter to Mr Scuyler, of which a copy was inclosed to me, wherein they required him to conform himself to such directions as he should receive from me. Notwithstanding this he has paid the forces under his command, the whole of their pay, & the officers of the other forces there inform me that Mr Scuyler's paying the New Jersey troops in this manner is the principal reason why the greatest number of the other forces & chiefly those levied in this Province remain discontented & mutinous, & refuse to receive less than their whole pay.

Your Grace must likewise be sensible how contrary it is to the discipline of the army for any Officer which is in my government (& undoubtedly while there, under my command) to act in direct contradiction to my directions, especially in a matter of such general concern, & likewise to the orders which he had received from his own government.

[1] *Sic*, but evidently an error. — ED.

This must consequently introduce confusion, & I am informed speeches were given out by his men that they would receive no pay of the Governour of New York, because if they did, then they would be under his command, which they were resolved not to be.

All these things, with many others of a different kind, shew what danger this Province may be in from the artifices of a prevailing faction at this time, & how prejudicial it may be to his Majesty's service every where in North America.

It must weaken exceedingly my administration if this money be paid, without Mr Scuylers making application to me, with an acknowledgment of his fault at least, & desiring my intercession in order to obtain it.

I must beg your Graces forgiveness of all faults on account of the hurry I am in. I am with the greatest respect

My Lord

Your Graces most obedient humble servant

(signed) G. Clinton.

To His Grace the Duke of Newcastle.

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) X., 260.]

My Lord.

I am under a necessity of giving your Grace the trouble of the inclosed Representation from the Assembly of this Province from which your Grace will easily perceive, without any comment upon it, that His Majesty is reduced to this state, either to support his authority in the hands of his Governour or to give it up to a popular faction; Tho' I am perswaded on reading it Your Grace will soon discover the views the contrivers have, and with what malice it is wrote, and this without any kind of provocation, but with the highest ingratitude.

As things are at present situated in this Province it is impossible to evince how such a paper could be penned without any one truth or for the proofs of any facts by a legal method to form a judgement on them, because none in authority here can be thought so indifferent in the present publick disputes but exception must be taken to him by one side or the other; neither can it seem prudent or decent for a Governour in Chief to subject his administration to those that are subject to his authority.

I heartily wish some impartial judges could make strict enquiry into this affair, and then I could soon prove that I never deserved those aspersions, but that I have to my utmost done every thing for His Majesty's service & benefitt of this and all the Northern Colonies, and this under such difficultyes and obstructions as no Governour ever underwent from a most malicious opposition.

This my Lord I think may in a great measure appear from ye Representation itself, wherein they endeavour to throw heavy slanders on my conduct from no evidence, & I hope to make it appear plainly that these reports were first raised and industerously spread abroad by the compilers of the Representation (in which the Chief Justice, Mr Horsmanden, and Mr Murray

had the greatest share.) But y^e^ malicious designs of the Authors of this libel evidently appear by the spiritt that runs throught the whole of it, that I humbly beg your Grace to represent it in such manner to his Majesty, that such orders & instructions may be made thereon to effectually suppress this dangerous faction, and to encourage such as have assisted me to withstand the torrent of their violent passions; otherwise I fear the administration must fall into the hands of this or some other popular faction and no man in this place can attempt to support his Majesty's authority in the hands of his Governour against their power and malice. Their hopes are from the clamours which they have raised and from the influence they have gained in the present Council and Assembly, who are generally a low and ignorant set of mankind. But their conduct in their opposition at this time, has, contrary to their expectations, produced an evident disapprobation among the people of sence.

Men in this place are affraid openly to discover their sentiments in favour of a Governour who may soon leave them, whereby they may remain exposed to the resentments of an evidently malicious faction headed by a man of violent passions & unforgiving principles and Chief Justice of this Province for life and one whose crafty insinuations make popular, & whose authority may be of the most detrimental consequences to them and their familyes.

The affairs of this government are attended with such numerous and various circumstances that I think it impracticable to give your Grace any just or perfect conception of them by writing. I therefore think it my duty to desire His Majesty's leave to come home on my private affairs, but as Governour (as Governour Hunter did) to prevent any bad design these people may have either on account of my bills drawn on the Treasury or Paymaster, or any other secrett revenge they are capable off; and hope to have leave soon to prevent the evills that may ensue.

The only reason for my not having exerted my authority in a different manner from what I have hitherto done, for suppressing of this faction, is, from the present circumstances of the publick affairs, while we are engaged in a war and an expedition on foot against Canada, least from any thing done by me it should be supposed that some obstruction had been put to that service. It is from the sense they had of this that those in the opposition have been incouraged in their audacious attempts.

The Assembly sent home their Representation some time before they presented it to me, which hurryes me a good deal in hopes of overtaking Governour Thomas before he setts out for Philladelphia, that I hope your Grace will forgive all faults; Being with the greatest of respect

My Lord

Your Graces most humble
and most obedient servant
(signed) G. Clinton.

New York
30th May 1747.

I have this instant received an express from Albany y^t^ all the new levyes are all up in mutiny for their pay tho' they have just rec^d^ the 40^s^ a man. This prejudice the men have imbibed from y^e^ president of y^e^ Jersyes troops being paid is a difficulty not to be surmounted but by acting in y^e^ same manner. This Col. Peter Schuyler did on his own account contrary to my orders & y^e^ orders he received from y^e^ President & Council of his own government, and hope may suffer for it. I am obliged to send this, the Express staying.

His Grace the Duke of Newcastle.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 174.]

22 June 1747.

My Lords,

The publick affairs of this Province comitted to my care are now reduced to such a State, by the violent opposition of an insolent faction, that his Majᵗʸ's Authority is openly despised, and the Administration so far wrested out of the hands of his Govʳ, that I can not answer for the safety of this Province against the intrigues of that Faction within, or the open attacks of Enemies abroad without the more immediate assistance of His Majᵗʸ's interposition in the several cases which I shall in the subsequent parts of this letter recommend to Your Lordᵖᵖˢ consideration, and that your Lordᵖᵖˢ may be the better judges of the State of this Province, I am obliged to give you the trouble of a narrative of the principal transactions since I entered on the administration.

It is well known that for some years before my arrival in this Governᵗ the publick affairs had been distracted by parties and oppositions which had been carried to a great hight; Mʳ Clark in a great measure quieted them by making concessions to the humours of the several parties which happened to gain the ascendant in the Assembly and thereby procured a Revenue to himself.—

At my arrival every particular person of this province was equally a stranger to me, and I was not acquainted with the State of affairs nor with the usual forms of proceedings in business, it became then necessary for me to confide into some one person for private advice. Mʳ Delancy is posesst of a plentifull Estate, he has numerous Relations and others of the principal Inhabitants of the Town attached to him by long habitude; he is of His Majestys Council for this Province and Chief Justice of it; it seems reasonable for me to expect that this Gentleman was likely to be most useful to me from his personal interest and knowledge in the Law and other affairs; and that from the duties of his Office and the public trust that was reposed in him, I might safely place confidence in him. He perswaded me that the Assemblys had come to a resolution not to grant the support of Governᵗ for longer than one year at any one time, and that it would be needless to attempt to gain it for a longer time, that the only method to gain the affections of the people was to please them in every thing, at my first entering on the Administration; that after I had gained their affections, it would be much easier to recover any usurpation Assemblies inclined to make on the prerogative than at that time; These reasons I must confess seemed so plausible that I unwarily yelded to many things, without perceiving the consequences of them, and it was not long before I perceived, that under this mask of Friendship to me, he was establishing his own interest, and only serving his own immoderate thirst after power, which he designed to establish by an alteration of the Constitution of Governᵗ, by putting the Administration absolutely in the hands of a faction (but in the name of the Council) which he hoped to have made entirely dependent on him, and that in all times to come, the Govʳ shall be no more than the first Officer of the Council.

I hope to make this all evident to Your Lordᵖᵖˢ, by a more particular account of the transactions, by which this Gentleman carried on his designs, as I said before, he not only perswaded me to accept of the support of Governᵗ from year to year, in hopes to make it a settled thing, and that thereby I, and all other Governours after me should be in a continual dependance on the Assembly, or more proper the faction, which in this Country always governs, and directs the Assembly, and generally consists of the lowest Rak of Mankind,

intirely ignorant of all public affairs, over which he had the greatest influence, and whom, the steps he has taken to secure his interest in time to come, he hoped he always would have; for this purpose the Bill for support of Govern^{t} the salaries of the several officers were not affixed to the Offices, but to the persons then in office. The view in this was not only to make the Officers intirely dependent on the Governing faction, and to deprive the King of that part of his prerogative, of rewarding his own servants according to their merit, but in effect to deprive the King of the appointment of the Officers, for as the salary ceased as soon as any officer named in the Bill should be removed, the officer afterwards appointed remained at the discretion of an Assembly whether they would allow them any salary, and in such a case persons at ease would not readily accept of an office, subject to such a disgrace. Besides this, in all cases where his Majesties prerogative might be in danger from the incroachments of Assemblies upon it, the Officers must be deterred from doing their duty, when thereby they were in danger either of loosing entirely or having their Salaries taken from them, and that this has happened, several instances can be given; by this method of granting salaries M^{r} Delancy hoped to secure the office of Chief Justice to himself, likewise all his dependants in Office, and in their dependance on him, tho' he thought proper to secure himself further by other means, which shall be afterwards mentioned; the Assembly not only made themselves the sole Judges of the Salaries of the several Officers of the Govern^{t}, for they will allow of no amendment from the Council to those Bills (which they call money Bills) but likewise gave rewards for extraordinary services to be paid out of the Treasury, without any Warr^{t} from me, and this has happened more than once, to persons openly in the oppositions to my Administration, and unless I had given my assent to this Bill, the whole support of this Govern^{t} must have failed by the clauses, directing these rewards being made part of the Act for the support of Govern^{t}

The Assembly in the time of M^{r} Clerk's administration had taken into their own custody, all the publick gunpowder in the province by puting it under an Officer of their own nomination, and not suffering it to be used otherwise than by their direction. They have in all the publick Acts distinguished the stores of war, purchased by taxes raised in this province by the name of Colony stores of war, from those stores that were sent by his Maj^{ty} as if his Maj^{ty} had no property in those purchased by taxes raised in this Prov^{ce} They assumed to themselves the direction of all the Fortifications, they named the head Gunner and Matrosses, and gave them salaries to be paid by the Colony Treasurer, without any warrant from me. Several companies of Militia were raised, and sent at several times on particular services, the money for payment of them was likewise put into people's hands, named by the Assembly, for the rewards of services without permitting me to be Judge of their merit. From all these, I think it evidently follows, that there is a formed design to put the Administration in effect into the hands of a faction in this Province, and to lessen the Force of His Maj^{tys} prerogative, and thereby the dependance on Great Brittain. They did not attempt to go this length at once, but as they found Governours complying, in order to make their own Administration easy, they were the more incouraged to assume power to themselves.

I am sensible that it may be objected to me, why I suffered it; in excuse of this I may say, that it would have been easier for former Governours to have crushed this in the bud, than for me, after it had gained such Force, and note, but I hope Your Lord^{pps} will consider the time in which I happened to have the Administration of Govern^{t}, it was in the time of War, while the Enemy was powerful, while this province was threatned with Invasion, both, by sea and by land; Your Lord^{pps} I hope, then, will excuse me, if in consideration of these apparent and

immediate dangers I submitted to it, in order to keep the province free from intestine divisions that we might be better able to defend ourselves from the common Enemy, but the faction considered this State of Affairs with a different view, at a proper time to take advantage of the Administration and to encrease and establish their own power. No doubt Your Lord^{pps} may be desirious to know by what means a Faction could gain such strength, and power in opposition to the Administr^{tn} and to the prejudice of his Maj^{ties} authority, and undoubtedly prerogative; my next endeavour shall be to satisfye Your Lord^{pps} as to this point.

The Chief Justice represented to me several usurpations, which the Assembly (I first met after my arrival in my Govern^{t}) were making on the executive part of Govern^{t}, as may be seen in the reasons I gave in a speech that I made at their Dissolution; but he gave me reason sufficient afterwards to think otherwise, when he afterwards supported all the same attempts in the next Assembly, after they became entirely subservient to his purpose; and then I discovered (tho' to late) that the true reason of his perswading me to dissolve that Assembly was to free himself from the Speaker of that house, who having been long at the head of the Assembly affairs, thought he ought to be as much considered as any other person in the Govern^{t}, and for that reason was so far from stooping to, or becoming a creature of the Chief Justice that he upon several occasions opposed him for agrandising himself, and preserved a considerable party against him. After the dissolution, however, very deceitful means were found to prevent the Speaker's reelection The Chief Justice did not find it so easy as he imagined, to bring the whole house into an absolute dependance upon him; a considerable party was again formed against him, which seemed resolved to carry things against him, but as this party consisted Chiefly of the Country planters, and had no head experienced in the management of the publick affairs, it was not difficult to find ways to break them among themselves; then to secure himself from any thing of that kind for the future, the scheme was formed of the united Committee of Council and Assembly, which (under a pretence of Authority from the Council and Assembly) met as often as they pleased. Here it was that the faction formed all their schemes, and such methods of conducting them, that single Men soon found out that it was to no purpose to make opposition and all those who had regard to their private interest, joined with the faction. Now it appeared to be and really was dangerous in single Men to oppose their designs, and therefore the few who saw through their designs and disliked them, desired leave to retire home, and to be absent from the house, which the Faction readily granted, that it might appear to the publick as if they had the unanimous approbation and concurrence of both, Council and Assembly. The general Maxim the Faction pursued to gain and strengthen their interest was by such popular methods and acts as they knew had in former times succeeded, and were more particularly adapted to the tempers of the people of this Province; the first and principal of which, was to appear as much as possible against all kind of taxes and impositions or duties on Merchandize.

The generality of the people of this Province rejoiced when they heard of the intended expedition against Canada, as it was apparent that the success in it must be productive of the greatest advantages to the people of it, and therefore the Assembly was hearty in their expressions, made use of in their address to me, on that occasion, but the faction soon perceived how contrary this was like to be to their chief scheme of depressing a Governours authority among the people, for they knew what credit I was like to obtain both in America & Great Brittain, if I were enabled to pursue every measure that could tend to the success of that enterprize, according to my own inclinations; the faction therefore thought it necessary as soon as possible to curb this zeal in the Assembly, which they did by representation to the Members

of the Assembly the heavy taxes the Colony of the Massachusets Bay had brought upon themselves, by their zeal in the reduction of Cape Breton ettc. That it was sufficient for the Assembly to give their assistance in levying Forces and providing provisions for them, nothing more being more by express words desired of them by the Duke of Newcastle's letter to me; that as the King had given orders for the expedition against Canada, he was to pay arms and Cloath the Forces levied in America; and was to send a considerable squadron of ships by sea with land forces from Great Brittain; the Crown of course must bear all charges incident thereto if the Assembly would but stay their hands; for it was not to be imagined that after the Crown had been at such a vast expence (in regard to which all that this Province can do bears but a small proportion) that they should suffer the expedition to fail by refusing to pay that small part of the whole and the saving would thereby be considerable to the people of this Province.

But their Chief hopes in depressing my credit, both in America and with the Ministers was from the hopes they had, that it was impossible for me to succeed in engaging the Six United Indian Nations in the War against Canada, as I was ordered by the Duke of Newcastle's letter to do; for this purpose I was directed in that letter to make the usual presents on that occasion. The Duke did not expressly say whether the presents were to be made at the expence of the Crown or of this Province, and tho' the usual presents have at all times been made at the charge of this Province, yet the Assembly insisted, that as this service was directed by the Crown, the Crown must be at all the expence incident thereto and this they continued to insist on notwithstanding that the Colonies of Virginia and Massachusets Bay understood it otherwise by their sending presents to the Indians to be delivered to them at the time that I treated with them. It was from the expectation of the discredit that would attend this treaty with the Indians that the Members of the Council who were of the faction refused to attend me, but, put it upon them they desired should fall under the same discredit with me; this intention can be further proved by the most insolent discourses which the heads of this Faction were pleased to make in almost every publick company at New York, while I was at Albany on this service; but the views and intentions of the Faction in lessening my credit and in taking upon themselves in effect the Administration, appear most evidently by the proceedings of the Gentlem^{n} of His Majesty's Council who refused to attend me and remained at New York, by their assuming to themselves the style of the Council of New York while I was in the province and had a sufficient number of the Council with me, who in my presence acted as his Maj^{ties} Council; by their corresponding with the neighbouring Gov^{rs}, sending letters of information and receiving answers without any orders from me for that purpose, but more especially by their given out orders to the Militia and to the Gunners of the Forts without any authority from me or from his Majesty for that purpose; some of which orders were actually served on the gunners and officers of Militia after my return to the City of New York, and without being in any manner communicated to me, tho' I was at that time in the place. Of what consequence this may be to His Maj^{tys} Authority and to the safety of this Province, is but too apparent when the custody of all the publick gunpowder, the direction of all the Fortifications and the command of Militia is thus usurped by a Faction who thereby may have it in their power to deliver up the Province in the hands of the Enemy, the proof of all these things will appear from the minutes of the Acts of Council and of the Assembly transmitted to your Lord^{pps} and from other papers which I have transmitted to M^{r} Guerin, and from the remarks which if the publick business will allow time I intend to have made on the speeches and messages I from time to time sent to the Assembly and their answers, messages and representations; but without such remarks the

spirit, which runs thro' all the papers from the Assembly is so evident and so plainly discovers their designs after power and of assuming the Administration into their own hands that I think no further proof will be necessary to convince Your Lord^{pps} of such a design that the bare transmitting of the representations and messages of Assembly together with the Minutes of their proceedings and that there can be no doubt left of all things being the effect of a Faction when it shall be known that all these papers were drawn up by M^{r} Horsmanden with the advice of the Chief Justice and M^{r} Murray; I have evidence sufficient of this tho I have not what you call legal evidence, because that can not be had, but by the testimony of some of the Members, who will not give evidence but by due course of Law and that can not be easily obtained against all the Judges, who are all parties in this, and any compulsion to give evidence would be construed a breach of priviledge and reparation demanded and all business be stopt till it be obtained.

But before I conclude this narrative I must further inform Your Lord^{pps} that the Chief strength this Faction has gained proceeded from, I must confess, an imprudent Act of my own in giving M^{r} Delancy a Commission to be Chief Justice of this Province during his good behaviour; this has given him the greatest influence as no man can think himself safe from his power when the ambition the violence and obstinacy of his temper is well known. A Governour they expect can remain with them but a few years, but the power of this Man they think is entailed upon them; Whatever reason there may be for making the Judges' Commissions in England, in this manner the same reasons may not extend to the plantations, tho' I was made to believe that they did; but the inconveniencys which may arise from it may be incomparably greater, as it is possible that a Chief Justice in England can [not] obtain such influence over the Nation as a Chief Justice may over this Province, where the number of Men of knowledge is very inconsiderable, and he by uniting with the Men of very considerable Estates and family interest who are likewise few in number, may gain a dangerous superiority and Influence and is in case of misbehaviour it will be a difficult thing to get any person to give information, a grand Jury to find a Bill or a petty Jury to Try a Chief Justice with impartiality while all officers are so remarkably under his influence, and when they may become subject to the resentment of a Man in such power and known to be of implacable temper.

The Chief Justice soon convinced me of my error, for before that Commission was granted, he on all occasions shewed himself ready to assist me with his advice and with what influence he had, in order to make my Administration easy to me, and which I have now reasons to believe he only did thereby to induce me to grant this Commission, by which he expects to secure to himself that Power which from his natural ambition he has always aimed at, for as soon as he had obtained it, he put himself at the head of the Faction, whose views were to distress me in the Administration and thereby to compell me in effect to put it into their hands, and on this occasion I must remark to Your Lord^{pps} that the uneasiness and distraction in Govern^{t} affairs in M^{r} Cosby's Administration arose from M^{r} Delancy's ambition to be Chief Justice, and that ever since he has been in power continual schemes have been formed to weaken the authority and power of every Gov^{r} in the Administration and to alter the Constitution of his Govern^{t} as will appear from an attentive consideration of the Acts of the General Assembly in M^{r} Clark's administration and since my arrival.

All that I can now do, is: to recommend to Your Lord$^{pps'}$ consideration how this inconveniency can be remedied. I have been told that the forms of the Commissions to the great officers cannot be altered without Act of Parliament, and as this has been altered in that manner

without any Act of Legislature in this Province, whether may not that be a sufficient ground for revoking that Commission; if this with the inconveniences that have risen from it be sufficient, I am of opinion that his Majesty's immediate authority may be requisite for that purpose, otherwise any revocation by one only may be disputed and be attended with still greater ill consequences to the Administration. It seems to me that a revocation under the seal of Great Brittain may at any time be sufficient to avoid any unusual Commission granted under the seal of this Province or perhaps a Mandamus to me under the signet and sign manual may be sufficient directing me to revoke that Commission under the seal of this province; the reason for thinking this may be of sufficient force, that the appointment of a Chief Justice of this Province has usually been by Mandamus to the Gov^{r} to appoint by Commission under the seal of this Province the person named in the Mandamus, but no such Mandamus has at any time issued for appointing James Delancey Chief Justice, but as this is a nicety in the Law of which I cannot be with sufficient certainty informed in this Country, it must be entirely left to Your Lord^{pps} judgement.

I can only inform Your Lord^{pps} that in my opinion it would be of little effect for me to remove M^{r} Delancy from the Council Table, while his authority as Chief Justice remains; for while that continues his influence over the Members of both, the Council and Assembly and over great number of the Officers of Govern^{t} would continue.

I must likewise inform your Lord^{pps} that all the methods taken to curb the incroachments of the Assembly or of Factions in this Govern^{t} have been not only expedients which served to remove present inconveniences, but were so far from cutting off the Root of the Evil, that the popular part of the Constitution rather gained strength thereby and most Men think that the surest method to obtain an Office in this Govern^{t} of Trust or profit is to join with the popular Faction by gaining their favour and this opinion is daily confirmed by what is observed by the success attending this method of Recommending themselves.

I ask pardon for taking up so much of Your Lord^{pps} time, being with the greatest of respects

My Lords

Your Lord^{pps} most obedient
humble servant,
G. Clinton

New York 22. June 1747.

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) X., 275.]

My Lord (Duplicate)

I am this day arrived from Albany & find our London ship upon sailing, but have prevailed with the Captain to stay two days for my dispatches, that I have not time to give your Grace any particular account of my proceedings. I was in great hopes the 40^{s}. advance, and 20^{s}. a month each man, would have satisfied them, as was expected; but Coll Schuyler who commands the New Jersey forces, having paid his men their whole pay then due to them, & the people of Albany some out of a malicious spirit, others in hopes of the profit they would receive by the mens receiving their pay while they remained at that place, instigated them to mutiny unless they had their whole pay; and for that purpose insinuated to them, that I, or

their Officers had received money for their whole pay, & that they were defrauded of it. Upon this the mutiny became almost universal. As these troops had been kept on the frontiers for the defence of it, the Province must inevitably be exposed to the greatest dangers from the enemy if these troops should be suffered to disband, as well as to plundering & other mischiefs from mutinous soldiers; I applyed to the Assembly for assistance on this occasion: but what an indecent refusal I received from them will appear from their answer, a copy of which I beg leave to inclose to your Grace; I was then reduced to draw bills for the whole payment of the forces at Albany. By the minutes of Council & other papers inclosed, the absolute necessity of drawing these Bills I hope will evidently appear to Your Grace; for that reason I entreat the favour of their being paid, or that care be taken that I do not suffer in my fortune by my doing what I could not omit, without exposing many of his Majestys subjects to certain ruin.

The Bills I first drew for the 40^{s}. p^{r} man were drawn on Pay Office, but as I began to doubt whether these troops be upon the establishment for the pay of the army, I thought it more advisable to draw on the Treasury, who may order (as I think) the payment of them in any manner that may be proper.

Coll. Johnson who I have employ'd as Chief Manager of the Indian War and Colonel over all the Indians, by their own approbation, has sent several parties of Indians into Canada & brought back at several times prisoners & scalps, but the expedition being laid aside last year, the Indians were discouraged and began to entertain jealousies, by which a new expence became necessary to remove those jealousies & to bring them back to their former tempers; but unless some enterprize be undertaken, which may keep up their spiritts, we may again loose them. I intend to propose some thing to our Assembly for this purpose that they may give what is necessary for the expence of it, but I almost dispair of any success with them when money is demanded

I must likewise inform your Grace that by this last trip to Albany, I have got two Indian Nations to join with us, who are numerous & who were formerly allways in the French interest. They have actually fallen upon several French trading parties. They may be of singular use to distress the French trade & to cut off all communication between the French in Missesipia river & Canada.

I hope to have the honour of receiving your Graces commands with my leave to come to England to settle my private affairs. I am with the greatest respect, My Lord

Your Graces most obedient
humble servant
G. Clinton

New York 23 July 1747.

His Grace the Duke of Newcastle.

Colonel Johnson's Speech to the Indians and their Answer.

[New-York. (S. P. O.) X., 281.]

Bretheren

I am greatly overjoyed at this time to see you all here, & to hear of the welfare of all your Bretheren, I also heartily bid you welcome in your Brother the Governour's name, whose

regard for you I assure you is very great, & hope as I have the honour of managing his business relateing to Indian affairs to convince you also of my good will to serve you as far as in my power lyes.

Bretheren, I have yesterday heard your news & message, which I conceive to be this; that you are sent here by the Seneca's, Chenondadees, & the Oghiny-yawees, to desire a little time of your Brother the Governour, or that he would stop his hand a little in order to get the Coghnawayees & Scawendadeys to come among you, from the French; which you say they firmly promised they would. You promise that as soon as that is done, you will strongly invite all the distant nations in your alliance to come & join you against the French & the rest of their Indians & totally destroy them.

Bretheren. In answer to your request of delaying the army or our forces here, I think I need not say much about, because you must be all sensible that the Great King your Father is intire master of that, & we must follow his directions. However as such a large body of men & such a number of ships takes a long time to prepare & moves but slowly on; you may (if you exert yourselves, & the Coghnawagees bee but willing to come among you, perhaps have time to bring it about 'ere our army is in their country; which I should bee glad to see & heartily thank you for.

Bretheren. You all very well know that your Brother the Governour as also the Governour of Boston desired nothing more then the coming over of Coghnawagees & Scawendadeys to their own flesh & blood from whence they derived, & as yet by right belong. You have all seen & heard for these two years past they have both severall times and severall means tryed to gett them away from the French by whom they are blindfolded & ill used, as plainly appears by their setting them on against your Bretheren here, like dogs, & still continues the same vile practice, & I am much afraid & almost positive that at last he will sett them up against you, whenever he has an oppertunity; for he is very full of design & treachery, as you all, by sorrowfull experience, have formerly found: wherefore I beg you will beware now of the same.

A Belt.

Bretheren. I can't see by any actions of the Cognawagees or Scawendadyes[1] that they mean any thing but to slaughter us, & deceive you if they can, for you see they constantly keep on murdering our people & are now several of them gone, as I am well informed, among the Ottowawaes & other foreign nations, to get more to their assistance, which does not at all look like what they promised you. However Bretheren, if you find or can think of any means or ways to gett them from there, do it, & I shall be very thankfull for it. You may well think & beleive Bretheren it would make my heart bleed to see them who are of our own flesh and blood, destroyed & slaughtered, which must be the case soon, if they are now obstinate & will not hear to this your last desire. For the Great King your Father is determined to destory & root the French out of that country entirely, before ever he stops his hand. 2 large Belts here. And he expects as does your Brother the Governour & I, that you will all now rise up chearfully & make use of the ax immediately against the French & all the rest of their adherents.

A Large Belt.

Bretheren. I would also strongly entreate of you by the long friendship consisting between us that you may use your interest immediately to invite & call to our assistance all other Indians

[1] Indians of the Lake of the Two Mountains, Canada. *Colden.*

or Bretheren in alliance with you, who as I am sensible only wait for your call or invitation. This is the only way to convince us that you have the same regard for your Bretheren that your fam'd ancestors had.— A Belt.

The answer of the Indians.

Brother Waraghiyaghey. In answer to your desire of using the Ax &c. We promise you that we will as soon as we get home, call together all the Five Nations & the rest of our friends, to meet at Onondaga in order to gett & send out as many warriours against the French &c. as we can possibly muster up.

Brother we are highly obliged & very thankfull to you for the regard you show for us by intreating & pressing us to gett away our Bretheren the Coghnawagees & Scawendadeys from among the French, telling & assuring us that you would not delight in spilling their blood, if you could possibly help it; wherefore to prevent which, we do assure you that we will immediately use our utmost endeavours to gett them from there, & in the mean time promise you sincearly that we will instantly with all our forces fall upon the French & all the rest of their adherents.

(Indorsed)
"Copy of Col. Johnson's speech to
"the Indians & their answer
"thereto. 25th April 1747.
"In Govr Clinton's of July 23. 1747."

Colonel Johnson to Governor Clinton.

[New-York. (S. P. O.) X., 286.]

Mount Johnson May 7th 1747.

May it please your Excellency.

I have this good while past (with the utmost impatience) expected the honour of a few lines from you with some encouragement or directions how far to proceed in this affair I have in hand which prospers better than ever could be expected, considering the bad disposition of those people at first & the many disappointments has been met with since, the tediousness of the forces marching makes them very dubious & uneasy, but I have hitherto with a great deal of fatigue & pains made them a little easy & shall still do the same as long as possibly can, but at the latter end, should things miscarry, it will be the intire ruin of me; for I can not pretend to live any where near them, as your Excellency may be sensible of they being a blood thirsty revengefull sett of people to any whom they have a regard for, should they be mislead or deceived by them; which (as I said before) if affairs take another turn will be the case with me; which makes me very uneasy at present together with having no proper necessaries for carrying on so weighty an affair, & left quite in the dark besides, without any intelligence or

instruction, so that I don't know whether I am right or wrong in calling down & sending out so many at I do. I here inclosed send your Excellency an invoice of necessaryes which will be immediately wanted, for such numbers as now daily come to go a fighting require an immense quantity of goods, arms, ammunition & provisions, for their familys must be maintained in their absence & cloathed in some measure, as your Excellency promised them & they expect. As for provisions I can always supply them with, leather for shoes & several other articles also, but for goods arms & those other articles mentioned in the memorandum I am quite destitute of at present, having given all I had already & rec^{d} none from England yet. I cannot buy any of those things here in these parts for any consideration, wherefore I hope your Excellency will send them up timely from thence rather then let the numbers which dayly come & are expected, return again & loose them; which unavoidably must be the case in spight of any interest can be made, if we do not fulfill our promise to them. Wherefore hope it may be seriously considered & in time. If so, I do not doubt in the least getting as many Indians as I please, yet at the same time your Excellency can not expect when all the Nations come to assist us, that it is possible for me to manage so weighty & troublesome an affair when I have more allready than I can well go through, notwithstanding all the assistance I have. Wherefore with your Excellencys leave I will give you my opinion which would be the easyest & best method for the dispatch of business, & the good of that service in generall, & that is this, to send a man of good interest who understands the language well, to Oswego, with a cargo first about £500 of such necessarys as I now mention for the use of the foreign Indians, who pass by Oswego for want of such a man there to talk with them & encourage them, & go to the French; Besides it is the best place to send out partys from thence against any part of Canada, I mean those who live near it, such as the Senecas Onondages & Cayougas; & I am positive had that method been taken some time ago befor the war broke out, we should not have the tenth part of the trouble now taken, & the French would not have half the Indians they now have, though much less than they expected; for I can now with pleasure assure Your Excellency that all the Nations are entered & hearty in our cause as I plainly & daily see to my great satisfaction, if things answer as expected, otherwise it were better we never begun it. I sent some time ago a message to the Oghguago Indians, who now sent two of their leadingest men with a few warriours. I assure your Excell: I never saw any people better inclined to assist us then they are, if I can but use them as I have the rest, which I can not possibly do without this supply of goods I now write. The young men the brought along, have joined the Mohawks, Scoharies, & some of the Five Nations, who are gone out yesterday in number 54 men wth Lieu^{t}. Stephens & some few Christians along with them. Hendrick's party consisted of 65 men, both make 119 men, besides 7 other partys, who are out this long time & soon expected. We shall soon have abundance of prisoners and scalps, wherefore will require a great deal of money, which they expect will be ready here at their return. I have paid the first who came home £60. for the six scalps brought from Crown Point which I could not avoid, and when the rest come in I must do the same, for they look to none else for it & must have it, as they say, punctually paid according to promise. The two Oghguago Sachems I have sent back with a very large belt of Wampum to call their young men here immediately, who as they say only waited for my inviting them. I would desire one favour of your Excellency for the dispatch of business the good of the cause in hand, and my greater ease, that there might be as soon as possible an Act passed or Order to prevent selling any kind of liquor to any Indians in the Mohawk country or at Conojoharie; for it is impossible to do any

thing with them while there is such a plenty of liquor to be had all round the neighbourhood, being for ever drunk. The worst of all is, one Joseph Clement who sell liquor within 20 yards of my house, & as soon as they get their bounty money, & that for guns, hangers, &c. they immediately go to his house & spend all there, which leaves them as poor as ratts, notwithstanding all they get of me. I have forbid him several times but in vain. Wherefore am obliged to apply now to your Excellency about it in hopes you will stop that vile practice, which will same them a great deal of money for this reason, that when there are many Indians come to treat about any thing, the having liquor so near, go & get drunk & continue so a week or more some times. I must maintain them all this time, which is very chargeable & delays the business besides. There is another grand villain George Clock lives by Conajoharie Castle, who robs the Indians of all their cloaths &c which they get of me. I had several complaints of Hendrick &c. about his behaviour, upon which I wrote him twice to give over that custom of selling liquor to the Indians, the answer was he gave the bearer, I might hang myself. If these two were made examples of by employing the King's Attorney against them, it would put a stop to the rest, & be of vast service. I had an express this week from Onondaga acquainting me that the Governour of Canada had sent a French Gentleman[1] named in Indian Rogh qua non da, go with 7 Coghnawagoes to Onondaga in order to condole the death of all those who dyed last fall & winter of the Small Pox &c. among the natives; but chiefly to enquire & find out who had bruised (as he called it) his childrens heads last fall with the ax; in order to make it up with them. Upon that he threw a large Belt of Wampum 6 inches broad & 7 foot long, as the Indians described it. The answer of the 5 Nations was, that it was done by the whole body meaning the Five Nations, & that they were surprised how they could yet be ignorant of their taking up their Brother the Governour's ax, last fall, at Albany. Upon that the French man held down his head, said nothing, but marched off immediately: this was the purpose of that express. Your Excellency may perhaps be surprized or think that the goods are given away too plentyfully, but I assure you there is none can give or distribute them more spareingly or to more advantage than I do, & it is but a mere trifle among them considering their familys must be in some measure subsisted according to promise & more over every trip the make to Canada they must be cloathed &c. and at their return the same, for their blankets, shoes, stockings, shirts &c. are all to pieces; So that your Excell. may well judge it must take an immense quantity of goods: wherefore there should be a good stock allways ready, of these things at hand, if we expect to keep them at war, for as they do not hunt they can not have any thing but what is given them, & that they think they are intitled to. However, after a little time it will be some thing easier I hope; once they are hot against one another, which seems to be brewing now very fast.

This is all the news I have to acquaint your Excell. of, at present; when I have any shall always be ready and diligent to let you know it. I am with the greatest respect.

Your Excellency's most obedient
& most humble Servant
Wm Johnson.

P. S. May it please your Excellency.

Just at closeing of my letter I received yours & am sorry to find thereby that those sett of people who are so much against every thing your Ex. or yours take in hand, should have the

[1] M. de la Chauvinerie. *Paris Documents.* — Ed.

honour of having those scalps & prisoners brought before them; which would also give them an oppertunity of renewing their former familiaritys with the Indians, which are now so averse to them that they declare they will never have any thing to do with them, neither will they go to Albany with the scalps, to apply for money to them, if they were never to fetch another. I realy think it a great piece of disrespect as can be done me for all my services.

(Indorsed) "Copy of Col. Johnson's letter to his Excêll.
"Gov^{r} Clinton 7 May 1747.
"In Gov. Clinton's of July 23. 1747."

Governor Clinton to Colonel Schuyler.

[New-York. (S. P. O.) X., 298.]

New York 6th May 1747.

Sir

I cannot forbear to let you know that I think you have been very imprudent in taking the steps you have lately done, in offering full pay to the men under your command without my knowledge or consulting with the other officers. For if it was in your power to do it, it can not be proper, since in the opinion of His Majesty's Council of this Province the retaining the greatest part of the arrears due, till his Majesty's pleasure be known, is the most effectual method at present to prevent desertions, & in this I have the concurrent opinion of the President of the Council of the Jerseys (as I believe) by the advice of the Council there. Besides as it is impossible to pay all the forces their whole pay at this time, any difference in the pay of one part from the other must occasion disorders & mutiny. I must likewise tell you that keeping up any kind of distinction in the pay or command must occasion confusion and disorder, of which you are to take notice & take care to prevent any room for complaint. I have ordered 40^{s} per man to be paid to each private man of the New Levies without distinction in what Province the levies were made, and I have promised to pay them 20^{s} p^{r} month 'till His Majesty's pleasure be known.

As I believe that what you did proceeded from a zeale to the service without duly considering the consequences of the step you took, I hope your future conduct will convince me of the truth of my sentiments of you, and am, Sir,

Your very humble Serv^{t}
G. Clinton

To Coll. Peter Schuyler
of the New Jersey Forces.

(Indorsed)
"In Gov^{r} Clinton's of July 23^{d} 1747."

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 175.]

New York 24 July 1747.

My Lords,

I am under a necessity of troubling Your Lord^pps^ with the inclosed papers, for your information and to beg your attention to them, for the Administration of the Govern^t^ in this Province is at present reduced to that State, by the opposition of a malicious Faction formed in it, that I can not answer for the consequences, unless your Lord^pps^ without delay take the same under your considerations, and advise His Maj^ty's^ Ministers as to what Instructions you shall think proper on this occasion, or other methods which you shall think necessary for supporting His Maj^ty's^ authority and security of this Province against all attempts of his Enemies. I have delayed laying these matters before your Lord^pps^ in hopes that reason and forbearance would at last bring these Men to some thought, and some concern for the security of the Country, thereby, to save your Lord^pps^ trouble, as I hope will appear from the Minutes of the proceedings, but all my endeavours have been so far from producing the effect which I intended, that they have only encouraged them to go on to greater lengths and insolence; some of these papers may perhaps be thought improper by Your Lord^pps^ to be exposed to the view of every one that may be desirious to see them; I hope Your Lord^pps^ will excuse my giving this hint, that you may give orders accordingly. I must earnestly intreat Your Lord^pps^ to let me know your sentiments as soon as possible.

Coll: Johnson who I have employed as Chief Manager of the Indian War, and Coll. over all the Indians by their own approbation, has sent several party's of Indians into Canada, and brought back at several times prisoners and scalps; but the expedition being layd aside last year the Indians were discouraged, and begun to entertain Jealouses, by which a new expence became necessary to remove these jealousies, and to bring them back to their former temper, but unless some enterprize be undertaken which may keep up their spirits, we may again loose them. I intend to propose something to our Assembly for that purpose, that they may give what is necessary for the expence of it, but I almost despair of any success with them when money is demanded; notwithstanding that I am assured, we may procure 1000 Indians at this time, but my greatest difficulty is in want of arms for them.

I must likewise inform Your Lord^pps^, I have got Two Indian Nations to join with us, who are numerous, and who were formerly always in the French interest; they have fallen upon several French trading partys and a Cattle[1] which before this is fallen into their hands, but they live at so great a distance that it is difficult to correspond with them, and expensive to support them as they expect, but as far as I saw it necessary I have ordered them to be supplyed by way of Oswego; they may be of single use to distress the French Trade, and to cut off all communication between the French on Missisipi River and Canada.

The ship is just going to sail, that I must beg your Lord^pps^ will excuse haste, being with great respect—

My Lords

Your Lord^pps^ most obedient
humble servant.
G. Clinton.

Sic. Qu! Castle. — Ed.

Remarks on the Representation of the Assembly of New-York.

[New-York Papers, Bundle Gg., No. 177.]

Remarks in answer to the representation of the General Assembly of New York, presented to His Excell^{cy} Gov^{r} Clinton 26. of May 1747.

The first Paragraph of the Assembly's representation of 26 May 1747. in answer to the Gov$^{r's}$ Message of 24th April is to throw some Slur on the Gov^{r}, as if he through fear of what he expected from the house, in answer to that Message, had adjourned the house, without allowing them time, to give an answer; whereas in truth they had nine days after that Message was sent without any kind of interruption from the Governour.

The disorders which happened about that time among the new Levies that were then at Albany, made it necessary for him to think of some method, to put a stop to them, and which he apprehended could not be done without his going thither, and for that reason, before the letter was delivered to the Speaker, ordering him to adjourn the house, the Gov^{r} sent for the Speaker and acquainted him with his intention, who answered: the house would be well pleased with some recess at this time; and no mention being made of the representation in any of the proceedings of the house, during these nine days; the Gov^{r} had reason to think (as he did) that the house had laid aside the thoughts of making it. But as the Gov^{r} at that time expected orders every day with respect to the expedition intended against Canada, he did not think it proper to adjourn them longer, than from week to week, and it was only for these purposes that the several adjournments were made, till after the Representation was brought in and approved of in the precipitate manner taken notice of in the Gov$^{r's}$ answer to it.

It may not be improper to observe further, that when this Representation was approved of in this manner, only fourteen Members were present, as appears by their minutes of that day, which number was the smallest that can constitute a house.

The excuse made of their not intending to give offence by their Address (or rather Message) of 16th of April might have passed, had then been the only matter in their proceedings, which showed an intention to throw blame on the Gov^{r} or to give offence. But if it be considered that the Gov^{r} at the opening of this session had passed over every thing that had occasioned disputes in the proceeding session, and had laid the matters before them, as if no difference had happened, and they to shew, that they on their parts were resolved not to suffer them to drop, had (without any necessity or occasion leading them to it) resolved to adhere to the Representation they had made in the preceding Session, and had put in Clauses in to the Bill for supplying provisions to the new Levies, raised in this Province, which could be of no use, or reserve any purpose, but to shew their disrespect to the Governour's person, and to provoke him to refuse that Bill, in hopes thereby to load him with more difficultys; indifferent persons (considering these things) can not receive this excuse as real, or think that the Assembly did not intend to give offence, and if any doubts of their intentions could remain with any one, the subsequent parts of these remarks must effectually remove them.

The compilers of this representation think they have got an advantage of the Governour, from his own Act, in having sent Capt^{n} Staats with a command of the New Levies to range the Woods, while the Gov^{r} was on Treaty last year with the Indians, in answer to his refusing to send the new Levies to range the Woods, in the manner desired by the Assembly; but if

it be considered that the New Levies were not then regularly formed, and many of their Officers absent, it can not be a standing rule, as to what may be proper to be done, after these new Levies were formed, and put under their proper Officers; besides this the inconveniencys which the Gov^{r} observed in this single Act, made him resolve not to do the like again.

Though the Assembly can not deny the great advantages which the Gov^{r} gained to all the British Colonies in North America, and more particularly to this Province, by securing the fidelity of, and engaging the Six united Indian Nations in the War, against the French, yet it is well known, with what reluctancy they were brought to acknowledge, that the Gov^{r} had done this, by an insinuation put into their Representation, in the proceeding Sessions, that they doubted whether the Indians were sincere in the engagements they had entered into with his Excell^{cy}; but when by the Incursions their several parties had made into Canada, they could no longer raise, a jealousy of their not having entered into the War, by the effects of these incursions, which were seen in the City of New York, as well as at Albany; they now endeavour to lessen the Services the Govern^{r} had done, in the eyes of the people, by an insinuation that more ought to have been done, by obliging the Indians to make war on the French Indians as well as on the French themselves. But if the disposition of the Indians before the last Treaty with them, be considered, how much they were discontented and the reasons there were to apprehend their joining with the French instead of assisting the English, it is a matter of surprise, that an Assembly of New York should so unwillingly acknowledge this great service the Gov^{r} had done them, and when they can not in some measure avoid doing it, that they should do it in such manner, as lessens the appearance of that service, by this insinuation, that Indians have not entered into War against the French Indians, tho' actualy at war with the French.

More was certainly done than was expected, and if all was done that could be done, the Governour undenyably deserve a grateful return. Suppose that the Indian Nations on both sides hitherto have observed a kind of neutrality between themselves, and act only as auxiliaries, some Nations with the English and other with the French, is it not a great service to gain the greatest number of these auxiliaries?; though the Indians be not civilized, yet they are rational Creatures. These several Nations had no quarrel with each other, what then can tempt them to go to war with each other, otherwise than as auxiliaries to their several Friends. By attempting to push them further, it is probable we might have lost their Assistance as auxiliaries, and it is well known that it is difficult for any Nation to continue long such, without becoming at last principals. Besides all these reasons, the Six Nations at several times gave the Gov^{r} hopes that by their influence on several Nations then joined with the French, and their mutual alliances, they would be able to bring them of, from the French, and this certainly would have been of greater service than making war upon them. The Gov^{r} had great reason to think, this might have been effected, had not all his measures for this purpose been defeated by the obstructions which the Assembly laid in his way, and by their refusing to give any assistance, towards the expence that necessarily attended the putting them in execution; the Assembly asserting that none of the neighbouring Colonies ever eased them of any part of the Burthen of preserving the Friendship of the Indians is one of these assertions, which it will be difficult to reconcile with publick facts, and which few can believe that they are ignorant of. For, so lately as the year 1745, Pennsylvania, Massachusets Bay and Connecticut sent Commissioners with presents to the Indians, at the Treaty the Gov^{r} had then with them at Albany. Massachusets Bay in like manner sent Commiss^{rs} with presents at the last Treaty, and Virginia

sent at the same time a considerable sum for the same purpose, and the other Colonies have at several times formerly done the like, all which are notoriously known.

The Assembly next boldly assert, that his Majesty was graciously pleased to direct: that making presents to the Indians should be done at the charge of the Crown and without any expence to this Colony. This is another assertion in their Representation contrary to truth, and to their own knowledge, they can mean no other directions which the Gov^{r} received than those contained in the Duke of Newcastle's letter of the 9th of April 1746; the compilers of this Representa^{tn} had a copy of this letter to which they might have had recourse every day, and it will appear from that letter, that there are no words in it which can support this assertion, and therefore can only be intended to deceive the people and to palliate their refusing to contribute any thing towards this expence, which every one in this province thinks necessary, and would have been willing to bear their share of.

The next assertion contrary to truth, and their own knowledge, is the recounting the several tokens of respect which they have on several occasions shewn to the Governour. They assert that they had provided us as ample a support, as had been given to any of the Gov$^{r's}$ predecessors; and there is not one Man in that house, who does not know that the support that had been usually granted to his predecessors (Gov^{rs} in Chief) for five years at a time, whereas it has been only granted to the present Gov^{r} from year to year, and that several advantages, which former Gov^{rs} enjoyed were taken from him. The Assembly has since the present Gov$^{r's}$ arrival likewise restrained the support of Govern^{t}, in a manner that was never done in the time of any of his predecessors, by assuming to themselves the sole power of judging of the Officers services, and of the salaries or rewards due to their services, by means whereof they have gained an absolute influence over the Officers, to the greatest prejudice of his Maj^{tys} prerogative in this Province. Though the Assembly soon after the Gov$^{r's}$ arrival granted money for building a house for the reception of a Gov^{r}, yet the present Gov^{r} has received no benefit thereby, since to this day it is not fit to be inhabited, but the benefit at which the Assemblys Commiss^{rs} have received by that building is sufficiently apparent, neither has the Gov^{r} received so much benefit, by an inconvenient house, as the owner by an extraordinary rent allowed him by the Assembly. But whoever shall read the several Representations and Messages of the Assembly can no doubt, with what truth and sincerity of heart they profess a respect for the Governour's person. The reason of the withdrawing the small garrison of the Independent Companies from Saraghtoga, will appear from the information given by the Officers of those companies, before that Garrison was withdrawn, by which it appeared, that that place was not tenable against any Force of the Enemy superior to the Garrison which should be in it, a copy of which is sent.

The Gov^{r} by several speeches and Messages, from time to time, pressed the Assembly to take care of themselves, by erecting Forts and block houses, and to shew the sincerity of his desires for their Benefit, yielded the naming of Commiss^{rs} for the placing and erecting of these Forts, and Blockhouses to the Assembly, and he had no other part in all this affair than in giving his consent to their nomination, it is therefore unjust to charge this wavering and changing of measures with respect to these Forts, on the Gov^{r} since they only proceeded from the Assembly alone and their Commiss^{rs}

The Building of Forts at the carrying place, are so apparently necessary for the defence of this and the neighbouring Colonies, that the Assembly can not avoid confessing it, they only endeavour to excuse themselves by the great expence, that the maintaining Garrisons in them

for all times to come must occasion. The maintaining Garrisons in these Forts was never proposed, and that the Assembly might understand his intention to be only during the present exigency of affairs, he gave it the name of a Fortified Camp, but to shew further that they could have no ground for this excuse, he had last fall resolved to fortify this Camp, at the expence of the Crown, and had ordered Forces to march for that purpose and would have effected it, had not, that unexpected obstruction being put to his measures by the Assembly Commiss^{rs} witholding the provisions from the Forces, that were to March for that purpose, so that this excuse can be only made to amuse the people, after the Assembly had first obstructed and afterwards neglected a work so necessary for their safety.

When his Excell^{cy} informed the Assembly by his speech at the opening of this session, that the neighbouring Colonies were so sensible of the use of Forts at the carrying place, for their general defence and safety, that they were willing to contribute a share towards that expence; the Assembly in this Representation answer, that he had not told them, which of the Colonies were willing, and what proportion they were willing to bear. Now, with what candour this can be said, let any Man judge who reads the Gov^{r}'s speech at the opening of this Session, and if they had any doubt as to this, it would have been an easy matter for them, to have desired to have been more particularly informed, had they had any inclination to have joined in this expence. But the papers which were delivered to the Assembly, put all this out of doubt, when by them a computation was made of the proportion of the charges, which it was thought reasonable from each of the Colonies to bear.

As to the objections which are made by the Assembly to the paper given to the Gov^{r} at Albany by the Commiss^{rs} of the Massachusets Bay, and the Gentlemen of the Council who attended the Gov^{r} at Albany. When the Commissioners of the Massachusets Bay proposed this matter to the Gentlemen of the Council of New York, they declined intermedling in it, by reason, that Commiss^{rs} were appointed to treat with the Commiss^{rs} of the Massachusets Bay, and that they were empowered to take this upon them; to which the Commiss^{rs} of Massachusets Bay answered: that they never would meet the Commiss^{rs} of New York on that head, since they had no power to agree upon any thing, but only to hear what proposals were made and to report, which, they said, could as well be done by a common letter carrier, without puting both Govern^{ts} to the charge which must attend the meeting of a number of Commiss^{rs} of both Govern^{ts}, and that they only proposed to make (in conjunction with the Gent^{n} of the Council) such computations, as they hoped would appear reasonable to the several Govern^{ts} interested in this affair, which they thought allowable for any to do, while they assumed no power to themselves but what the reason of what was done should give with indifferent Judges; upon which the Gentlemen of the Council entered with the Commiss^{rs} of Massachusets Bay on the consideration of affairs, and this is the reason why that paper was not signed, least it might have been suspected, that they had taken upon themselves an authority not given to them.

The other observations made by the Assembly shew, how desirious they are to assume to themselves the whole Administration of Military affairs as well as Civil. But what the consequence must be if every Military enterprize must be first debated in the Assembly, and thereby likewise made publick before they can be put in execution are to obvious to need mentioning.

The Assembly next in justification of themselves from the Charge againts them in the Gov^{r}'s message, that they had declined every expence that seemed necessary at this time, for the

security of the British Colonies, and well being of this Province, recount every thing that they have done since the commencement of the War, and even condescend to some particulars, which did not amount to 20 pounds sterl^{g}; but if it be considered that the Gov$^{r's}$ charge can not with any propriety relate to any other time than the present, and to the Matters which he had at that time recommended to them, for the present and immediate security of the Prov^{ce} and that it can not be denyed, that they have refused to provide for every expence necessary at this time, except that of provisions for the Levies of this Province, it will appear to indifferent Judge, that all said on this occasion, is a mere evasion of an answer to a charge which none can in direct terms deny to be true.

They go on in indirect terms, so as to make strangers believe that all the blunders in the fortifying the City of New York, were occasioned by the Governours want of skill, or neglect in the execution or neglect of these works, by which a great and unnecessary charge has been occasioned, by pulling down and rebuilding the works; and after all must still appear ridiculous to any that have the least art of fortifying a place. They could not with any face blame the Gov^{r} for this in direct terms in this place, because it is too publickly known, that the Commiss^{rs} employed in this work were employed by the Assembly, and that the Men so appointed have no pretence to any knowledge in the Art of Fortification, while some others who have seen Fortifications, and have knowledge in the Theory at least of that Art, were neglected and slighted when they offered their advice, and therefore it cannot be thought an invidious reflection to say that these Commiss^{rs} were appointed to serve some other purpose, than that of security of the place, and that it savours much of malice, to endeavour to throw other Men's faults upon the Gov^{r}, when he had no hand in them and to do this knowingly.

The reason, why nothing was done in pursuance of that Commission is already given. The Gentlemen of the Council attending his Excell^{cy} at Albany, entered into no agreement with the Commiss^{rs} of the Massachusets Govern^{t}, and the advice given to his Excell^{cy} on that head was signed by all the Gentl^{n} of the Council at Albany. This the Authors of the Representation knew, having copys af all these papers before them. For what purpose are these things thus asserted, and insinuated contrary to their own knowledge, they can best tell. Here again is a declaration of their resolution to take the conduct of all Military enterprizes upon themselves, and of their passing censures on the Gov$^{r's}$ conduct, in concert with M^{r} Shirley and the Gov^{rs} of the neighbouring Colonies, without any examination into the Schemes proposed for the plan of operations; for they were not before them nor had they any time to pass any just reflection on those schemes, had they known them, since this representation was only once read over in the Assembly, and immediately approved of, without having any of the matters which were the subject of that Representation, at any time before that under their consideration.

The composers of this Representation who are well known, begin to open the secret of their hearts, in the conclusion of this Paragraph, when they say: "But we must confess, that "ever since your Excell^{cy} has thought fit to place your confidence in a person obnoxious to, and "censured by this House" ettc It seems necessary in some kind of justice to the Assembly to distinguish them from the compilers of the Representation to free them from the malice, that is couched under several expressions in it, for it may be justly said that they erred more through ignorance and weakness in suffering themselves to be hastily hurryed into things, while they did not understand or perceive the purpose & view for which they were designed, as some of them have since acknowledged.

No Man can defend himself against general charges, but by general answers, and therefore that person may justly deny the whole of this charge, and can make it evident (as it is believed) that however perplexed the publick affairs have appeared, or any unsteadiness in the conduct of them, this has not in any measure happened from any advice which he gave but from the unreasonable and ungrateful opposition of a Faction to all the Gov^{rs} measures of every kind, and it is thought the Gov^{r} may without any apprehension of censure submit his speeches and Messages, since it was imagined that Person advised, to be compared with the Representations messages, and answers which came on the same time from the Assembly, and it is well known who the persons were that framed the Representations ettc. of the Assembly, as it is who advised the Gov^{r} at the same time. He it is supposed was Acting within the sphere of his duty at that time, but they being no Members of the Assembly perhaps may find it difficult to vindicate their conduct on this occasion.

As to what is said of the perfect harmony which subsisted between the several branches of the Legislature, before that person was so much concerned in the Management of publick affairs, it may be justly answered, that they who have no regard to truth, ought to have good memories, which is a defect in the compilers of this representation, which shamefully appears in this instance, as well as in several others. On the 14th May 1745 the Gov^{r} in his speech to the Assembly, after having charged the Assembly with disrespectful behaviour to him, and a neglect of providing for the security of the Province (in several instances particularly set forth) concludes his speech with these remarkable words: "But you have adventured to take upon "you the assignement of places for erecting Batteries within this City, to direct the number of "gunns to be placed upon them, and to order the issuing out the gunpowder provided for "the use of the publick without consulting me in either respect, which in effect is assuming the "Administration of the Govern^{t} and wresting his Majesty's Authority out of the hands of his "Govern^{r} Thus from an invincible untowardness on the one hand and an inordinate thirst "after power on the other, you are become as it were a dead weight against the other "branches of the Legislature."

And the Council of this Province in a memorial presented to his Excell^{cy} 27 day of Febr^{y} 174$\frac{5}{6}$, there is the following remarkable paragraph. "The Council further observe to your "Excell^{cy}, that by this Bill, the house took upon themselves, not only to nominate the persons "to receive and apply the money, but others to appoint the places where the blockhouses should "be built upon the Frontiers in Albany, and both (as the Council understand) without your "Excell^{cys} approbation, which the Council look upon as interfering with the executive part "of Govern^{t}" ettc

It can not be pretended that the person censured in this Representation intermedled in the publick affairs at those times; every honest Man will be ready to suppose that the drawers up of this Representation were ignorant of what had formerly passed between the several branches of the Legislature, but he will be surprised when he is told that the very same persons who advised as to the words and expressions used by the Gov^{r} in this speech, and in the memorial of the Council did likewise form this representation of the Assembly, and yet it is true.

Several other instances of a disagreement between the branches of the Legislature can be pointed out from the Minutes of their proceedings, before the time it is supposed that person intermedled in publick affairs, but it would draw these remarks out into too great a length. And it is generally well known that before the time that is supposed that person was concerned

in publick affairs, remarkable misunderstandings had appeared between the Govr and the heads of a powerful Faction in this Province.

We now come to that part of the Representation which deserves the most strict enquiry, because the knowledge of the truth of this may be of great consequence to the safety of the British Colonies in North America. It is that part where the Assembly with great humility confess their ignorance that many in this province, and all the neighbouring Governts are perswaded, that the principal Traders and richest Men in Albany, do not wish well to the expedition against Canada. For this reason it will be necessary, to treat this at some length and to set it in as clear a light as possible. It is well known, that in the time of Queen Anne's war with France, a kind of neutrality was made between this Province and Canada; that Westonhook River was the established boundary of this neutrality towards New England. That during the war the Inhabitants of this Province who lived on the West side of that River followed all their occupations in husbandry, and in times of peace, while at the same time the Inhabitants of New England were in their sight exposed to the merciless cruelty of the French and their Indians and a great part of the Country was laid waste with fire and sword. In the time of this neutrality the French Indians frequently brought the spoils they had taken in New England and sold them in Albany and were expeditiously fitted out a new with every thing they wanted. At the same time a most beneficial trade was carryed on with Canada, and the French supplyed with every thing they had occasion for themselves, and for carrying on their trade with the Indians, and preserving their Interest among them, which otherwise must have failed by reason of the great difficulties the direct Trade with France at that time lay under. By this it appears that the Traders and rich Men in Albany are not so insensible of their own interest as the compilers of this representation endeavour to make people imagine, when they endeavour to secure their Estates by a neutrality at much less expence than it can be done by Fortification, especially when at the same time they hope to encrease their Estates by a Trade, which must be most beneficial in time of War. And it is thought difficult to give a reason why these prudent and rich Men who were impowered by the Assembly to Build Forts and Block houses for the security of their Frontiers, and had a sum of Money granted to them for that purpose, did not secure themselves by building such, if it be not supposed that they thought they could more effectually secure themselves by establishing this neutrality. But to put this further out of dispute when the Commissrs from Massachusets Bay, Pennsylvania and Connecticut assisted at the Treaty the Govr had with the Six Indian Nations in 1745. after the Indians had given in their answer to the Govr's solicitations with them, to join in the war against the French. The Indians answered, they would send to Canada, to demand satisfaction for the injuries done, and in case satisfaction was not given, then they would declare War; upon which the Commissrs from Boston openly declared in the presence of the Govr and Council of New York, and the Commissrs from the several other Governts, that they knew that the Indians were ready to have entered into the War till this answer was put into their heads by the people of Albany, with a view to establish a neutrality, and indeed, this proposal of sending the Indians to demand satisfaction when the English and French were in actual War must appear ridiculous in itself, without this explication that it was designed to introduce a neutrality, between Albany and Canada by means of the Indians and in their name as was done in Queen's Anne's war. That the inclinations of the People of Albany were bent on this purpose appears further by the information, which the Officers of the Forces which rendezvoused at Albany gave to the Govr wherein they declare, that all the disorders which appeared among

the Forces arose from false Reports industriously spread among them by the People of Albany, as will appear by the copy of a Certificate thereof signed by the Captns of the troops levied in Pennsylvania; and it is well known that most of the Troops as they marched to the place of rendezvous, had such an opinion of the people of Albany not wishing well to the expedition against Canada, that they openly declared they must take Albany, before they could proceed to Canada.

But to remove all suspicion that this ill opinion of the People of Albany was infused into the Govrs mind, by the person charged to have done it, it is proper to recite a paragraph of the Govrs Message to the Assembly the 23rd of August 1745 at which time it is not pretended that the Govr was in any manner influenced by that person's advice: vizt "It seems very "evident that a law should be passed provided with proper penaltys, which may effectualy "restrain all persons within this provice, from trading or dealing in any sort with the French "Indians, during the War with France; for, under the colour of Treaty of Neutrality concluded "between them and the Six United Nations of Indians, in league with us, and upon pretence "of traffick with the English, the French Indians have had hitherto constant intercourse with "both, & thereby frequent opportunitys of viewing our situation, and carrying intelligence to "the Enemy, which we should by all means endeavour to prevent. According to the "information I have received some of those French Indians were lately trading at Albany, "when others of them were at the same time, scalping and Butchering his Majtys subjects on "the boarders of New England; which we can not but look up on with the same resentment, "as if done to any people of this province; and besides, whatever these Indians Barter these "furs for, whether for cloathing, or gunpowder, is so much clear gain to the French, and the "strengthening of the hands of his Majtys Enenie"—

After what is now set forth of the knowledge which the Assembly must have had of these matters, their great humility in confessing their ignorance of them, must be very surprizing. It is much doubted, whether any one of them seperately could have either the humility, or impudence to deny their knowledge before any of their Friends?

What is said of a remarkable letter is put in such terms, that it is impossible to give any other answer, than that a charge made to take away the reputation of any person, in the like manner that this is done, and to excite other people's passions against him, can proceed from nothing but the highest malice.

What is said of the character and circumstances of a certain person of Albany, can have no relation to any thing done by the Govr since that person was never employed by him in any publick affairs. That person has a Commission from the Governt of Boston, and whatever he may do in any public affair, he acts only by virtue of that Commission. The Govr sometime since informed Mr Shirley of the surmises he had heard of that person, who answered, that the Governt of Massachusets Bay had intrusted him for many years, that he had done them very considerable services, and never had any reason to suspect his fidelity.

What is said in answer to his Excellcys recommendation to the Assembly, on the 17th of October last, is really an unfair misrepresentation of the facts at that time; had the Assembly only desired as here represented, that the Govr would direct all proper papers for their information in that affair, to be laid before them, it would soon have been done; but the request, which the Assembly made on that head in their Representation of the 4th of Novr was in the following words: "We beg Your Excellcy will put it in our power, by ordering to be "laid before us (when we shall call for them) all letters and papers that have passed between

"Your Excell^cy and the Commiss^rs for Indian Affairs, or between your Excell^cy and any other "persons concerning Indian Affairs, since your Excell^cy's arrival to this Govern^t"—His Excell^cy accordingly did give orders to the Secretary for Indian Affairs who said it would take him three months to copy them, but the Assembly never called for them, and indeed the Assemblys calling for so many papers, most of which in all probability must be useless for the present purpose, and some of them perhaps improper to be communicated, gave reason to think, that they had no intention to make any such enquiry, which is confirmed by no mention ever having been made of that enquiry afterwards in their house. It appears then how unjust the insinuations here made in this representation, is, that his Excell^cy prevented their enquiry by a prorogation of the House. But to put this beyond all question, the Assembly declared, that they were desirious of a recess, before they were prorogued, as appears by their resolves, entered in their minutes 1^st December and a Message sent by their Speaker to the Gov^r for that purpose.

Towards the conclusion of this Representation, the contrivers of it, too evidently show, how desirious they are to reflect on the Gov^r, and all persons in friendship with him, when they do it in such general as well as virulent terms, that it would be impossible for the most innocent person, to make a proper defence against it. But this with persons of judgem^t it is to be hoped, can only serve to demonstrate the malice, with which this Representation is conceived, and will rather serve to clear the Gov^r, than to asperse him.

For how unbecoming is it for an Assembly of a Province, to abuse the honour of their Gov^r and the King's representative, (as they are pleased to stile him) on common Reports, which they had just reason to think were only maliciously raised by his Enemies, when it was in their power to have examined into the truth of them, before they thus in a manner authorized them by the publication of this Representation, as they certainly might have done, as to that of the Indian presents in the year 1745. and after so long a time allowed for enquiry, to form this vile aspersion only on the imagination of some (perhaps malicious) person who fancied that the Bulk of the goods given by his Excell^cy was not so great as that given by one of the neighbouring Govern^ts. But it is to be considered besides the uncertainty on which this charge was formed, that the Gov^r had about 600 Indians to subsist, out of the sum granted for presents by the Assembly, and it is well known, that very considerable presents are always given by the Governours of this Province in private, to the principal Indians of every nation and Tribe, and that these presents never appear in publick.

The Gov^r (it is true) having heard of such a report, soon after his return from that Treaty, ordered an account of the presents given, and the other expences of that Treaty to be made out, and delivered to the several of Gentlemen of the Council for their satisfaction, and having heard no more of it, from that time, he was in hopes, that all indifferent persons had remained satisfied, as he still believes such are.

As to the other Report relating to Flags of truce, it is not conceived how it is possible to make any answer to it, since it can not be discovered upon what ground such a Report can be raised. According to the method taken in this Province, in sending a prisoners brought into this port, and on bringing back those taken by the Enemy, the advantage to the vessels employed in such service is greater, when they carry few, than when they carry many. It can not be imagined what should induce the owners or Commanders of such Flags of Truce to give any gratuity by the head, or in any proportion to the number of prisoners that they carry, so that this asperson is not only false, but likewise absurd, and can in truth only show how desirious

the Gov$^{r's}$ Enemies are to asperse him. And to make the views and purposes of the Faction who directed in this affair more evident, it must be observed that this Representation, and the first draught of it from the Committee was kept by the Speaker under lock and key, without suffering either to remain in the Clerk's hands as usual, for fear the Gov^{r} should obtain knowledge of any part of it, and a copy was given to the printer to publish, before it could be known what answer the Gov^{r} did give, which too plainly shows that the intention of that paper was not to redress any grievance, but to incite the populace agst the Administration.

The malicious spirit which so evidently appears through every part of it, loudly calls on those who have the power to exert their authority, in restraining it, as it is manifestly destructive of all good Govern^{t}, and must in its consequencies destroy the morals of the People of this place, if an effectual stop be not put to all daring attempts of this kind for the future.

It is thought, no such instance can be given, even, where there were just and real causes of complaint, but where there was a fixed resolution at the same time taken, to overturn the established Govern^{t} at that time, and the manner at least is thought can in no sence be palliated.

Governours have from time to time connived at the incroachments of the Assemblys in the Plantations, on the prerogative and executive part of Govern^{t}, in hopes to make their time in the Administration easy to themselves, and it is thought that his Maj^{tys} Ministers, who always have matters of much greater consequence to employ their thoughts, are desirious to be freed as much as possible from the trouble, that must attend the affairs of the Plantations.

But the affairs of Govern^{t} are in several of the Colonies (now by these connivances and neglect) come to that pass, that they seem to require an immediate attention, and in order to either prevent much mischief, much trouble and expence to remove the bad consequencies which are like to ensue.—

Examinations at a Court of Inquiry at Albany.

[New-York Papers, Bundle Gg., No. 178.]

At the Fort at Albany 11th Dec^{r}. 1745.

Whereas. Captain John Rutherford having applyed to me for a Court of Enquiry relating to the condition of the Fort at Saraghtoga, before and at that time, when the Detachment was recalled. I summoned the following Officers, who were present. Viz^{t}.

Capt^{n} Hubert Marshall. President.
Capt^{n} Thomas Clark
Lieut: John Lindsay
Lieut^{ts} John Marshall & Stephen Eastwick.

Lieu^{t} Edmund Blood, declared to us that he was present there, when his Excell^{cy} ordered a party: viz^{t} a Sergeant, a Corporal and ten private Men to be posted in the Fort at Saraghtoga, upon these express conditions, that the Gentlemen of Albany (at whose desire he sent them) should immediately put the said Fort in good repair, also to make a Well and Oven; that His Excell^{cy} ordered him, in case these things were not done accordingly to withdraw the Men he having sufficient proof that there was neither Well nor Oven made, many other necessary

reparations not complyed with he would have recalled the Men long before they were, if Captn Rutherford had not been here, and that he often advised Captn Rutherford to recall that Detachment before he did it.

Sergeant Convers, who commanded the above party being on duty at this time at Fort Hunter, the Corporal to the said party was called in and examined on oath; declared that he was Corporal at Saraghtoge and came down with the Men when recalled, that there was neither Well nor Oven in the Garrison, the Floors above never laid, except the Floor in one of the Block houses, that the Roofs of none of the Block houses were made tight, and that they, neither could keep themselves or arms ettc. drye when it rained; that their powder was at last damaged notwithstanding they took the greatest care to preserve it.

David Mahany Soldier being sworn, declared: he was one of the party at Saraghtoga; that the Roofs in all the Block houses were leaky, no floors laid above or below, except the Floor in one Block house, and that, considerably damaged by the rain, no Well nor Oven in the Fort.

William Schaw Soldier, being sworn, declared as above, that when it rained they could not keep their arms, ammunition or clothes drye, and in no way could shelter themselves from the wheather.

Benjamin Schaw Soldier, being sworn declared as above and that most of the Soldiers, who had been on that party were attending at the door, ready as they said to swear to the same purpose, ettc But we thought the proofs so plain, as to need no further evidence.

Captn Rutherford declared, that he had often applyed to Coll. Schuyler and to the Commissrs for Indian Affairs ettc, and told him that he had every day complaints from the Men posted at Saraghtoga of the hardships they suffered there, and if they would not repair the Fort as they had promised, he would be obliged according to his Excellcy's order to withdraw the Men; that he repeated this again and again, and nothing done; he accordingly recalled the party agreable to his orders.

Sergeant Convers who commanded the party had often begged to be degraded to a private Centinel, and that he had lost two of his best Men, by desertion, being assured by their companions that the hardships they suffered at Saraghtoga induced them to desert the service.

Hubert Marshall
Thomas Clark
John Marshall
Stephen Eastwick.

We are ready at any time to swear to our above declarations.— John Rutherford
Edmund Blood.

The Captains of the Pennsylvania Companies to Governor Clinton.

[New-York Papers. Bundle Gg., No. 179.]

Albany. 8. June 1747.

Sir,

We take the liberty of troubling your Excellcy with these lines respecting the late disturbances that has happened among our four Companies, as they have in a particular manner been disorderly as well as a great body of them have deserted.

We think in justice to ourselves we ought to lay before Your Excell^{cy}, why so sudden an uneasiness should happen among our Men, which has been for some low, evil minded people, who have frequently taken pains to tell vile and false storys to them, and as a great part of our Companys consist of Germans who can converse in the language of those vile people they have had the greater influence over them.

They have in the first place told our Men that they remembered in the last Expedition agst Canada, that the Soldiers were cheated out of the whole or the greatest part of their due, and that they made no doubt that they would be served the same manner; and secondly that the money Your Excell^{cy} was pleased to send up, they said was sufficient to pay the Men in full, and that the Officers paid them only forty shillings, and kept the remainder in their own hands, and further, that they were fools and Rascals if ever they took that sum, for if they did, they would never have any more that was due to them, and that your Excell^{cy} would make them soldiers for life. How inconsistent soever these idle storys will appear to the discerning part of the world, Your Excell^{cy} is sensible what an effect they will have upon such weak mindes as we have to deal with, and these storys our Soldiers repeated in publick to all the Field Officers when they were drawn up before them and gave these reasons for their uneasiness.

We believe your Excell^{cy} is not insensible that our Troops before this, have behaved themselves with the duty becoming Soldiers, as they have the whole Winter cheerfully obeyed all commands that were laid upon them, and which, Coll: Marshall told us he acquainted your Excell^{cy} of their readiness upon all occasions, and even in the midst of all their disorders, they never have yet disobeyed any Commands but have done duty regularly in the Fort at Albany ever since they were ordered down from the Half Moon, and as these vile insinuations that has from time to time been put into the heads of our Men, was the cause of what has lately happened, we thought it necessary to acquaint your Excell^{cy} of it, that you may not think, we have been any ways wanting in our duty to keep these Men together and in due obedience, which we make no doubt we should have done had not these idle Reports been spread among them.

We hope your Excell^{cy} will not from the frequent accounts that you must have had of the murmurs of our Companies have entertained an unfavourable opinion of us, as we assure your Excell^{cy}, nothing has nor shall be wanting in us to preserve these Men and keep them in the best order we possibly can, that they may be fit for the service for which they were intended and which we hope we shall in a short time be enabled to do, and have it in our power to carry such a Command as will make them behave with the duty they ought. We humbly submit this to Your Excell^{cy} and are with the greatest respect — Your Excell$^{cy's}$

most obedient and most
humble servants

Samuel Perry
John Diemer
W^{m} Trent
John Shannon

Governor Clinton to Mr. Under Secretary Stone.

[New-York. S. P. O., X., 860.]

New York 24 July 1747.

Sir

As my affairs are at present & can hear nothing from England I shall take it as the greatest favour if you will permit the bearer Capt. Wraxal to acquaint you with what he knows in relation to them. He has desired my leave to go home to England on some pressing affairs, & I have taken the opportunity to convey my dispatches by him. He raised a Company in this Province on the Expedition intended last year against Canada. As he has behaved well on all occasions, and is well acquainted with many transactions as well Civill as Military in this Province I am in hope he may be usefull on some occasions where it is not possible to obviate every objection that may be made, especially as he is acquainted with the men of this Province, as well as with many particular things in it. As I do not doubt of his sincere intentions to serve me, I should be greatly obliged if he could be served in what he wants, which is, a Company in the Army, and if His Grace would be pleased to give a little assistance I shall take it as a great honour. I have troubled His Grace often, desiring leave to come home on my private affairs, & indeed for y^e^ recovery of my health and limbs, but now I have been obliged to draw for such large sums of money on the Crown & a great deal of it I have made myself debtor, I think there can be no objection to my coming to pass those accounts. I also desired I might come home with my proper Flag, as I ought, and I shall be extreamly thankfull if you will take an opportunity of talking to His Grace about it, for it is impossible for me to stay. I was in hopes forbearance would at last bring these men to some reason & some concern for y^e^ security of their country, thereby to save trouble to my friends, as I hope will appear by the minutes and remarks I now send home to the Lords of Trade; but all my endeavours have been so far from producing the effect which I intended, that they have only encouraged them to go on greater insolence. I have one favour more to beg of you, which is, to get me to come home as Governour of New York, to prevent any ill designs some people may have here to y^e^ ruin of me and my family, on account of my publick bills given; for I must expect no mercy, particularly those bills I was obliged to give on the Paymaster for £5000. sterl: 6 May last, when the greatest enemies I had in y^e^ Assembly subscribed to get me under their lash & made it a point for nobody to take my bills but them; and to get Doct^r^ Colden appointed Lieu^t^ Govern^r^ who has vengeance sworn against him by the Chief Justice and the rest of his faction, & who they offered to bring into their measures, and even told him of several reports they had spread of me all over the Country; which he knew to be faulse and generously came to me to acquaint me of it, & offered his service to assist me, which he has done very faithfully ever since; and altho' they have spit out all the vennom they were capable of, against him, yet it has not been in their power to fix any one aspersion on him, that I hope he will not be left to their mercy when I leave the place. I ask pardon for giving you this trouble, and am with great respect, Sir,

Your most obedient
humble Servant
G. Clinton.

To Andrew Stone Esq^r^

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 189.]

My Lords,

It is with the greatest concern that I must again trouble Your Lord^{pps}, with what has already been the subject of my former letters; but when the papers which I send along with this shall be considered (and which, I pray Your Lord^{pps} may be considered) I am confident, Your Lord^{pps} will be convinced that I have done every thing in my power to prevent your having the trouble which I am now under a necessity of giving you. Therefore, I must observe to your Lord^{pps} that in the midst of a most unreasonable and unjustifiable opposition I have done every thing in my power for his Maj$^{ty's}$ service. that after the most scandalous and false reflections thrown on my person and Administration by the Assembly of this Province, I have several times passed them all over, and begun anew with them in offering matters for his Maj$^{ty's}$ service, and the interest of his People, as if no such injuries had been done to me, which will evidently appear to your Lord^{pps} from the copys of the Messages I sent to the Assembly, and their resolves and answers thereon, which have been already transmitted to you. Their behaviour could not have been justifyed in the way it has been done, though all the Facts charged in the Representation had been [essentially true] whereas they are absolutely false, as I hope from the papers transmitted to Your Lord^{pps} it will appear to be so beyond contradiction. It will likewise appear, that the opposition I have met with, could proceed from nothing but a most malicious spirit of wicked Men, who have had nothing less in view, than the overturning of the Constitution of his Maj$^{ty's}$ Govern^{t} in the Plantations, by wresting his Maj$^{ty's}$ authority out of the hands of his Officers and placing the Administration in a popular Faction, and of satisfying at the same time their malicious resentments.

In order to make themselves the more popular, the Assembly has in a most unreasonable manner not only refused to contribute according to their ability in the expence attending the Expedition intended agst Canada, but have thrown the load of it upon the Crown, and have refused contributing any thing towards my retaining the Indians longer in their late engagements with me against the Enemy, but are now endeavouring to throw that extraordinary expence likewise on the Crown, tho' their own preservation be immediately concerned in it, and I can justly say, the expence of the Colony in North America, in proportion to their abilities is in no manner adequate to that which the people of England cheerfully submit to in defence of the Liberty's of Europe.

Great numbers of People of this Province are become sensible of these things, and the popularity of the Faction has in a good measure declined, and I hope the necessity of securing themselves will induce them to do, what may be requisite for the defence of the Colony; yet the saving of money, and the ease of the people is so very prevailing, that I cannot be assured of success; however, nothing in my power shall be wanting to ease the Crown of every charge I can, and nothing shall prevail upon me to add to the expence I have been under the necessity of putting the Crown to, but the immediate preservation of this valuable Colony from becoming a prey to the Enemy by the obstinate humours of a prevalent Faction.

As M^{r} Horsmanden one of the Council has been the principal Actor in the opposition, and in forming the Faction against all the Measures, which I have thought necessary for his Maj$^{ty's}$ service, I have suspended him from his Maj$^{ty's}$ Council and removed him from the Offices of

Trust, which he enjoyed in this province, for the reasons which are herewith transmitted to your Lord^{pps}, and which I hope Your Lord^{pps}, will think deserve serious attention and will receive his Maj$^{ty's}$ approbation; and I beg leave to recommend James Alexander to be restored to the place he formerly had in the Council of this Prov^{ce} and in many respects the most capable of serving His Maj^{ty} of any person that I know, and I persuade myself, Your Lord^{pps} will concur with my desire to move his Maj^{ty} for his appointment accordingly, and that you will please also to move for a confirmation of M^{r} Horsmanden's suspension being perfectly satisfyed he fully merits his Maj$^{ty's}$ resentment for the reasons transmitted to Your Lord^{pps} and to His Grace the Duke of Newcastle.

Popular faction and power are become so very prevalent not only in this, but in all the Northern Colonys, that unless some extraordinary assistance be given to his Maj$^{ty's}$ Gov^{rs} to suppress it, I am humbly of opinion it will not be in the power of Gov^{rs} to support his Maj$^{ty's}$ Authority; and I believe it will appear to your Lord^{pps} from the papers herewith and formerly transmitted, that the aid of Parliament is become necessary. For this purpose nothing seems more needful than a certain and fixed support for the Officers of the Govern^{t}, for, from the want of this, the power of Factions in the Colonys has been perpetuall increasing, and if once a support be fixed for the Officers in the ordinary administration, it will not then be so difficult to obtain any necessary supply on extraordinary occasions, as it is now yearly to obtain the ordinary support; and I conceive nothing seems so proper for this purpose as a Quit Rent upon the lands equally rated, as it would be the most equitable and least burthensome method of any that I have heard mentioned; and I am informed that the lands now settled (at the rate of 2|6^{d} per hundred acres, which is the condition on which all lands are granted and what is willingly paid by the Patentees) would in this Province immediately produce a fund of above 4000 pounds a year which is more than ever was granted by an Assembly for the support of Govern^{t}, and this Fund must yearly increase by the continued improvement of new lands.

I have transmitted to Your Lord^{pps} the minutes of Council from 3^{d} of Nov^{r} 1746 to 28th Aug: 1747. likewise the Acts that have had my assent since the last sent home, and as I have not had time amidst so much hurry to comment upon them, I hope Your Lord^{pps} will excuse it, as none are of any other moment than in the ordinary way, except Chap: 19. for raising 2250 pounds by way of Lottery for the advancement of learning, which is absolutely necessary and much wanted in the Prov^{ce} and the Acts for granting supplys of provisions to the New Levies raised in this Province, which I was under a necessity for the sake of service to pass, tho' clogged with disrespect.

I have recommended Coll: Johnson's services among the Indians to the Ministry, he being chosen by themselves to be their Colonel, and had the Exped^{tn} gone on, I could have answered for the reduction of Canada by their means; they are still hearty for that end, and Colonel Johnson is indefatigable in keeping up that spirit, and as this Gentleman is Sir Peter Warren's Nephew, I cannot avoid doing him the Justice in recommending his services also to Your Lordships.

I am now endeavouring to bring the Assembly of this Province to join with the Massachusets and Connecticut Govern^{ts} upon some enterprise against the French in Canada and to secure the Provinces. (Commiss^{rs} for these Provinces with this, being now conferring here for that purpose) and if this Prov^{ce} do not fail in their quotas, I am in hopes to give the Enemy a fatal blow in their own Country by the Assistance of the Indians; their Chief Sachims or Rulers for each Nation having declared to me but yesterday in publick before all these Commiss^{rs} that

they wanted nothing more than the reduction of the French Country in Canada or to that effect, as they had taken up the Hatchet, and used it against the French and their Indians by my desire. I am with very great respect—My Lords.

Your Lord^{pps} most humble and
most obedient servant.
G. Clinton.

New York, 27. Sept^{r} 1747.

Governor Clinton's Reasons for suspending Mr. Horsmanden.

[New-York Papers, Gg., No. 190.]

Reasons for suspending Daniel Horsmanden Esq^{re} from His Majesty's Council of the Province of New York.

1st He (M^{r} Horsmanden) has no visible Estate in this Province or any where else that is known. He left England deeply involved in debt, has since contracted considerable debts in this Province, wh^{ch} remain unpaid, and is thereby in difficult circumstances of life.

2^{d} A Faction has for some time past been formed in this Province in order to distress the Gov^{r} in the Administration of publick affairs with hopes thereby to gain the Administration both civil and Military into their own hands, in which M^{r} Horsmanden has been a principal contriver and actor.—For this purpose

3rd The Faction by their influence opposed or endeavoured to curtail all the supplys granted by the Assembly and necessary for the publick service; They have influenced the Assembly to put the money raised by them into the hands of persons dependent upon them, without allowing the Gov^{r} any power in the distribution of it; which the urgency of the publick service obliged the Gov^{r} to yield to, that a load of expence, which otherwise must have fallen on the Crown, might be prevented.

4th They have attempted to make all the Officers of the Govern^{t}, both Civil and Military, by their influence in the Council and Assembly, immediately dependent on them; by not only the Assemblys assuming the nominations to Officers, but likewise by their taking to themselves alone without any consultation with the Gov^{r}, to fix and determine the Salarys of the Officers, and of the rewards due for any particular or extraordinary services, and more particularly in giving to M^{r} Horsmanden sums of money for extraordinary services, without that either he or the Assembly acquainted the Gov^{r} with any of the particulars of those services, or previously desiring his consent to such Reward. To all which the Govern^{r} was under a necessity of submitting, or of suffering the Govern^{t} to be without any supplys at this critical and dangerous conjuncture of affairs notwithstanding that the Assembly thereby did as much as in their power, deprive his Maj^{ty} of his prerogative of Judging of the merits of his own servants, and that the Officers of this Govern^{t} are thereby laid under the hard temptation of rather endeavouring to please a ruling Faction, than to do their duty to the King.

5. The Faction not only in common conversation and company have endeavoured to vilify and slander the Governour's character and reputation by false and scandalous reports; but

likewise in the most solemn manner by resolves, Representations and Addresses of both, Council and Assembly separately printed and published by their authority, containing numerous false malicious and scandalous Reports, and aspersions on the Gov^{r} and his Administration, highly injurious and disrespectful to his character, with design to withdraw that respect and regard which is due to His Majesty's Governour from the People of this province, thereby to defeat and obstruct the measures he had undertaken for His Maj$^{ty's}$ service, in consequence whereof, the Faction hoped to render the Gov^{r} obnoxious to His Maj^{ty} and his Ministers, and even to withdraw the Esteem of his private friends.

In order to make their malicious designs more effectual, they in the publications made by authority of the Council and Assembly threw out general malicious invectives and aspersions on those in the Administration, who endeavoured to vindicate the Gov$^{r's}$ honour and character, without assigning any particular, to which any answer can be given in vindication of such persons and with design to intimidate others in doing the like; and though the endeavours of the Faction have proved ineffectual, these aspersions could be for no other purpose than in hopes to expose the Gov$^{r's}$ friends to the fury of a deluded and incensed Mob, in whose calamity they probably had hoped likewise to involve him and which too evidently appears in the last address from the Council printed by their order in the following words of imprication in that Address which are an insult on Religion as well as on the character of the King's Representative as they are sometimes pleased to call him: viz^{t} "And we pray the God of "heaven to touch your Excell^{cys} heart with compassion to the distressed inhabitants of the "City of Albany" ettc.

Reasons, why the Gov^{r} has not communicated to the Council the reasons of his suspending M^{r} Horsmanden from the Council, and for his not giving him a copy of them as he desired at the time he was suspended.

Though M^{r} Horsmanden has been the principal contriver and Actor in the misdemeanors charged on him, yet it will appear from the proofs of the allegations against him that several others of the Council, have been led into and joined with him in the same criminal practices.

As M^{r} Horsmanden has depended on the Gov$^{r's}$ favour for his bread, by continuing him in Offices of profit, the insults made by him are so much the more intolerable, and the Gov$^{r's}$ forbearing to shew his resentment, gives the greatest encouragement to others to continue their practices, but some of the others being Men of large Family interest, and having great influence among the People by their numerous Relations or otherwise the Gov^{r} is desirious to reclaim them, if possible, by gentle methods least otherwise the Publick and necessary service should suffer.

It was for these reasons that the Gov^{r} while there were continued expectations, that the Expedit^{n} intended against Canada, would proceed, and the Fleet was every day expected, he with patience forbore all resentment, neither could he call a new Assembly, while the urgency of affairs might be such, as to require the immediate sitting of an Assembly, for the granting of necessary supplys, and now that the Forces Levied on the expedition are to be disbanded, it is become necessary that the Assembly immediately go upon Business for the security of the province. The Faction in the opposition are so far disappointed in their endeavours on the People and on which they placed their principal hopes, that they are now every where openly blamed, and there is great reason to hope, that the Gov$^{r's}$ patience may at last have a good

effect; but if it should prove otherwise, he must go on against some others; not doubting of his receiving his Majᵗʸ's approbation of His Majᵗʸ's Ministers, but it may be easily perceived, that it can not be in the power of any Govʳ of this Provᶜᵉ effectually to crush Factious proceedings in it, which by long continuance have gained such root and strength, without some more vigorous assistance from His Majᵗʸ's Ministers, than has been hitherto given; especially as these Factions from Republican and levelling principles are incouraged by the like, in all the neighbouring Colonies, but more particularly in this.

27. Septʳ 1747. (signed). G. Clinton.

Governor Shirley to Governor Clinton.

[New-York Papers, Bundle Gg., No. 202.]

Boston. 24 July 1747.

Sir,

As it appears to me, by the latest advices I have received from Albany, as well, from what is contained in the New York prints, that there is the utmost danger of a total defection of all the Six Nations from us to the French interest, unless we do speedily and vigorously join with them in prosecuting an Expedition against the French for dislodging them from Crown point, as well as from the Fort they have built much nearer to the English settlements, I have issued a Proclamatⁿ for summoning every Member of the General Court of this Province to attend the consultation, that will be had on that affair upon the 12ᵗʰ of August next, and as the least loss of time, will greatly hazard the success of this Enterprise, if we should engage in it, I must intreat Your Excellᶜʸ to have the Assembly of your province sitting at or before that time, and lay before them the danger there is of all His Majᵗʸ's Northern Colonies, especially your Province and ours, being soon depopulated and swallowed up by the Enemy, unless we now join with the Six Nations without delay in pursuing in War against the Enemy, and I must pray Your Excellᶜʸ will give me early advices of the measures, Your Governᵗ shall take in this affair, & that in the mean time Your Excellᶜʸ would send a Message speedily to the Six Nations, that Your Governᵗ and ours, will do all in our power for the prosecution of this design, and for the engaging the other English Governᵗˢ with us therein; and I would further desire your Excellᶜʸ to send your circular letters, as soon as may be, to this Governᵗ and the Governᵗˢ of New Jersey, Connecticut, Rhode Island and New Hampshire, earnestly recommending this affair to them.—I am with the greatest regard—Sir—Your Excellᶜʸˢ most obedient

and most humble servant.

W. Shirley.

P. S. I should be obliged to Your Excellᶜʸ if you would send the inclosed by express to the Governᵗ of New Jersey.

Conference between Governor Clinton and some Mohawks at Albany.

[New-York Papers, Bundle Gg., No. 203.]

At a meeting of the Mohawks with his Excell^cy 16. July 1747.

Brother.

We come down as a guard to our good friend Coll: Johnson, and finding you here, were very glad of the opportunity of seeing and speaking to you, for there has been a time and not long since that we were affraid of seeing or speaking to our Brethren, and that occasioned by the doings of some vile people, as we are now sensible, but their, fears are all vanished and drove away by the strong assurances you have given us last summer, and ever since of your good meaning towards us.

Brother—You told us last fall you were at war with a cruel Enemy, the French, who daily murder'd your people round about; upon which we heartily renewed the old Covenant, or agreement between you and us, in so much, that whatever good or evil happens to the other, you gave us then the Axe to use against Your Enemies and told us, you expected soon to destroy Canada with your Army, we took up the axe and promised to use it against your Enemies in conjunction with you.

Brother—We have since been sent out by Coll. Johnson to Canada, to annoy the Enemy and take prisoners to give us news of all their motions, while your Army might be getting ready; all this we have done to show our heartiness to join and assist you, with the loss of several of our Chief and principal Warriours, who died lately for their Brother's Cause—wherefore:

Brother—We expect you will not make peace on any terms, until we fully revenge the deaths of all our Brethren, which we are ready, and have been this long time, to do, had we but your assistance.

But Brother—We are affraid you are not in earnest for no other reason, than that we don't see you do anything with your army as we expected, & wished for.

Brother—We are at present obliged to acquaint you, that our Brethren, the Conajoharees are much exposed to the Enemy, wherefore desire earnestly, that you would immediately fortify them, and when that is done, they nor we cannot possible do without a number of Brisk Men to jump out and join us in pursuing and destroying the Enemy, whenever they invade you or us, for which reason, if you allow us but Men, to be ready at a call we will engage to perform.

Brother—That will be the only best means to satisfye all our Friends and Allies, the far distant Nations (who daily flock to us and offer their service when we call upon them); that we are capable of defending ourselves and annoying Enemy in some measure, until the army may be ready to march which is what we most earnestly wish for.

Governour's Answer.

Brethren—I am pleased with your Gratitude to Coll: Johnson in conducting him to Albany, and thank God who has preserved our lives till this day, and given us an opportunity of speaking face to face. Tis true, I did not expect to meet you here, but am glad of the occasion to commend your fidelity and good service, since you joined us against our Enemies, your fears are all over and you may be for ever assured of my good intentions towards you, do you but proceed briskly as you have begun, and you may depend on all the encouragement and

protection in my power. I am now come to put our people in as good order as I can, either to receive or march out against the Enemy, and as I purpose never to deny you assistance, in return I expect you will be hearty to go out with us when called upon. I am much concerned at a loss of some of your principal Men, and hope, by our mutual assistance we shall have satisfaction for them, before we bury the Hatchet. Our Brethren the Conajoharees, you say are exposed, I have given orders to Coll: Johnson to fortify their castle as soon as possible; I shall order a sufficient number of Men for their defence, which may convince you and all our Friends and Allies, that I am in earnest, and you may be assured, your safety shall be my particular study—Brethren, my resolution is steadfast, and am now bringing my people to be ready to join yours, and act as one body, and expect you will use your endeavours to the same effect among your people of whatever Nation, that we may live and die together. I most earnestly recommend to you not to listen to any Reports, or any thing said to you, beside what you hear from Coll: Johnson, who, you may depend shall repeat to you all the intelligence I can give him, in return I expect you will make report to him of every thing you hear, as well what relates to your own affairs, as concerning the Enemy and their Motions, that he may inform me. Thus it is to live and act like Brothers, and convince the world, we are inseparable.

Brother. As to your desiring us to listen to our good Friend Coll: Johnson, we are very much obliged to you for it, and in answer thereto must tell you, that for these twelve months past and better, we have minded nor listened to nobody else, neither do we intend it and Brother, you may depend upon it, that whatever news we have among us, shall be immediately brought to him in order that he may acquaint you of it, and in return we expect, you will do the same as you have done this year past, and then the world shall be convinced, that we are one body and inseparable.—

The above was a private conference with about thirty of the Chief Warriours when last at Albany.

G. Clinton.

Governor Shirley to Governor Clinton.

[New-York Papers, Bundle Gg., No. 204.]

(First letter) Boston 15. Aug: 1747.

Sir,

Yesterday about noon I received Your Excell$^{cy's}$ express in which I had a large packet from the Duke of Newcastle. I have only time to inform Your Excell^{cy} that the expedition against Canada is laid aside at present, the reasons of which are contained at large in the Duke of Newcastles letter to me, an extract of which I will send you as soon as possible, that the consideration of disbanding the Forces raised for it is referred to M^{r} Knowles and myself, and we are ordered to consult with the several Gov^{rs} as to the manner of doing it; that M^{r} Knowles and I are to do every thing necessary for the settlement of Nova Scotia forthwith for the protection of that and Louisbourg, and to make use of what part of the American Levies we

judge requisite for that service, and I am commanded to compleat not only my own Regiment, but Gener[l] Phillips's out of them, so that Your Excell[cy] perceives the Expedition against Crown Point must be carried on by Soldiers in the pay of the Colonies, for, whatever part of the Levies that shall not be retained for the service and defence of Nova Scotia, are ordered to be discharged, as soon as M[r] Knowles and I have determined, what number is necessary for the above mentioned service, and the manner of doing it is settled between us and the respective Governours. This indeed I imagined and foretold would be the case, and was the reason I pressed so much for the Expedition's proceeding last year, not doubting but his Maj[tys] Ministry would be of opinion, that the reduction of Fort Frederick ought to be undertaken by the Colonies, without any assistance from home.

However, I impart this to your Excell[cy] now, in confidence, that it may remain in your own breast, 'till you hear of it in form by a joint letter from me and M[r] Knowles.

I am very sorry that Coll: Johnson should take umbrage at Lydius's, being concerned with him in what has been done by this Govern[t] towards cementing the Indians of the Six Nations in our interest; I would not have him imagine that myself or any part of the Govern[t] put Lydius's service in competition with his own, or that these Indians have been engaged in acts of hostility against the French by any person's influence but his own under Your Excell[cys] directions, and his Uncle Sir Peter Warren to whom my letters upon that head to the Duke of Newcastle have, I believe, been shown, can inform him that I have done his merit all the justice in my power—But Lydius has been a person long known to Coll: Stoddard and this Government, and has occasionally had the management of small sums among the Indians for them, and for my own part I thought he stood extreamly well with Coll: Johnson.

Sir—I am with great respect
Your Excell[cy's] ettc.
W. Shirley.

Governor Shirley to Governor Clinton.

[New-York Papers. Bundle Gg., No. 204.]

(second letter) Boston 31. Aug: 1747.

Sir,

I shall lay the extracts of Coll: Johnson's letters (which contain matters of the greatest importance to the Colonies at this Juncture) before the Council and Assembly to morrow, and hope in the mean time, that it may be of service for Your Excell[cy] to communicate them to the Commiss[rs] at the Congress. Nothing shall be wanting on my part to assist in compleating what Your Excell[cy] has so happily and even beyond our reasonable expectations, made a most considerable progress in, through the influence and good management of Coll: Johnson who has a most extraordinary interest with the Indians, and which he surprisingly cultivates and continually improves.

I am—Sir—with the greatest esteem
Your Excell[cys] most obedient
humble servant.
W[m] Shirley—

Colonel Johnson to Governor Clinton.

[New-York Papers, Bundle Gg., No. 205.]

(Copy) 17. July 1747.

Sir,

I have now got done with the Oghguago Indians, and shall acquaint Your Excell^cy what I have done with them. I prevailed with half of them to go immediately against the Enemy, the other part are gone home to acquaint two other Castles, who are in Alliance with them of what I now proposed to them, which was to fall upon the Enemy without delay, as all the rest of their Brethren have already done. They promised me faithfully they will be back here with me again in less than a Month with a strong party. I imagined at first, they came only with an intent to go a fighting, but they came only to see what readiness we were in, and to use the thing by throwing three large strings of Wampum, desiring, we would not give up before we had full satisfaction of the French, and that they were, and would be ready at the first call. I have a parcel of Oneyda Sachims ettc, who are come down to acquaint me of the death of one of their Chiefs, who died going home from my house by the way. He had a large Belt of Wampum of me, desiring all the Young Warriours, who were inclined to go to war against the French, to come to me, and those who were not, to keep home, and take care of their Castles, and not to go against the Flatheads, where I found they were inclined to go. He dying ere he got home, hindred that being done, so these Sachims brought me said Belt again, whereupon I was obliged to deliver said Message to those here now, insisting strongly on their stopping all them who were inclined to go against the Flatheads, which they promised me they will do effectually. I was first obliged to condole the death of that Sachem, ere they could be spoken with, which I have done to satisfaction; there was also some of every Nation here, so that I called a general meeting, and told them over, (in the presence of Hendrick & the Mohawks) all that Your Excell^cy had said to these two Castles, and gave them the Belts to carry along, and send among all the Nations. I assure Your Excell^cy I have done a great deal of service since I came home, having cleared up several points to them which has made all very easy, but chiefly ab^t our not destroying Crown Point, thereby to open a passage for them to Canada, which if done they say positively they would not leave a soul in Canada, but they would drive into Quebec and Montreal with very little of our assistance. I sent them home exceedingly well pleased, which is more than I expected could be done as affairs stand at present. I assure Your Excell^cy that they all promise very well, and say they fear the failure will be on our side, for they are of opinion there will come more Warriours than we can supply or fit out; but I hope that will not be the case, if it is, then the Country was ruined — By all accounts, the French to the Westward of Oswego, are in a miserable condition, being hemmed in on every side by the Chenondadeys and Ottawawees, who cut off all communication between them and Canada, and have sent word that they are ready at a call of the Five Nations, to come and join them. They also say they intend to destroy Niagara provided we supply them with some arms, amunition ettc. which being an affair of great consequence, I hope it may be considered of; the best way would be to send these things from Philadelphia, being the nearest way and safest, for I fear there will be no getting any thing up this River to Oswego any more (since they have begun Scalping on this River) I have sent out one party of 21. Men three days ago, and now have two partys more ready to set out this day all of the Five Nations; I expect the

head Warriours of the Six Nations here in five days, and a Seneca with his party, who are also to go immediately against the Enemy. My getting that head Man to our interest and the loss of the four Senecas (who were with Hendrick) brings all the Senecas heartily to our interest, and of consequence all the rest, so that we may now boldly say we have all the Six Nations hearty in our interest, if we be not backward ourselves. I will engage to bring 1000 Indian Warriours into the field in six weeks time, provided, I have clothes, arms and amunition for them or forfeit 1000 pounds. I wish Your Excell^{cy} would order some vermilion to be sent up, also 2 pieces of Blue Camblet and red Shaloon and Lace for the same, 12. silver medals for the Breast, 12 Castor Hats, all which at present are requisite.

I am, Your Excell^{cys} most obedient
humble servant.
W. Johnson.

Colonel Johnson to Governor Clinton.

[New-York Papers, Bundle Gg., No. 205.]

4 Aug. 1747.

Sir.

It is with much difficulty I can get time to lay pen to paper, having my house and all my outhouses continually full of Indians of all the Nations, and more of late so than ever; there is not a day I can assure your Excell^{cy} but I am obliged to sit five or six hours in their Council to hear what they have to say, and answer them in every point, but my satisfaction is, I can say my endeavours are not in vain, as I find there will be no failure or delay on their side, having daily assurances of their inviolable attachments. The best and most trusty of the Six Nations have by my solicitation wrought strongly upon the foreign Nations, and by my constant invitations, and Belts of Wampum (after their manner) have secured their friendship also, and now I find them ready at a call of the Six Nations, with whom I prevailed at the last meeting to sent for; which is done accordingly. As I must expect Numbers upon this Call, it will be requisite that Your Excell^{cy} provide in time whatever may be necessary for their reception & fitting out, for they all expect to be supplyed by me as being their Rendez-vous. Your Excell^{cy} may be sensible that what I have already had will come far short of a proper supply for the members that may be expected, and as things are carryed so far, without due encouragement for these Indians it may move resentment in them at their disappointment, which may affect the whole continent.

Ottrawana the great Cayuga Indian and others of the Five Nations since they were at Albany with your Excell^{cy}, informed me at a private meeting at my house, but in the most formal manner by Belts of Wampum, that the foreign Nations, viz: the Chonondedeys ettc were resolved to destroy Niagara as being an impediment in their way to Oswego, where they are sensible they have been always well treated, and much imposed on at Niagara, having been stopt there this spring by their artifice, and obliged to pay twenty Beavers for a Stroud Blanket. They have applyed to the Six Nations privately for liberty to destroy Niagara, which they are likely to obtain, having the consent of some of the Chiefs of each Nation, though I

am rather of opinion, that a proper Number of the Kings troops against it in conjunction with the Indians who are so hearty, would make it more practicable, besides it seems to me, there would be a necessity of keeping large garrisons both, there and at Oswego, for the French would not quietly brook the loss of it, being of the greatest consequence, next to the reduction of the whole Country.

I shall send and speak to the Six Nations in as private a manner as I can, to know their disposition relating to our making such an attempt, and shall acquaint your Excell^{cy} as soon as I am informed.—

I am resolved to send M^{r} Visgher one of my Lieutenants immediately to Oswego with a cargo of goods, Arms, ammunition ettc. for the use of the foreign Indians and the Six Nations, who chuse to go against the Enemy from thence. I have sent Your Excell^{cy} the Indians speech and my answer to it, likewise their reply to that, which may convince all people, that what has been inserted in the News papers of their desire & making a peace with the French is a villanous Libell, for I am certain the Indians had no such thought neither did they, nor do they design any such thing; their resentment against the French ettc being higher than ever.

Last week I sent out three partys of Indians of the six Nations; two of them I have sent to Canada, and one of them consisting of 12 Men to Crown Point, they are all firmly resolved to attack and destroy whatever they meet of the Enemy either French or Indians—I am—ettc.

W^{m} JOHNSON.

Colonel Johnson to Governor Clinton.

[New-York Papers, Bundle Gg., No. 205.]

14 Aug: 1747.

Sir,

This is to let you know, that since my last I have sent Lieut^{t} Visgher to Oswego, with a cargo of goods, Arms, and amunition for the use of the Foreign Nations ettc; as your Excell^{cy} will see by the order to him enclosed, which I hope will be of great service. I had an account on Tuesday by an Indian from Oswego express, that there was a great number of Senecas and several Flatheads by the way to my house with several Belts of Wampum, one of which he says is as large as the War Belt Your Excell^{cy} gave the six Nations last summer; such a Belt must import a great deal of news. I expect them here in two days, and am making every thing ready for their reception, as soon as they have done telling all their news, I shall immediately let Your Excell^{cy} know the purport of it. I hope Your Excell^{cy} in Council will consider what a loss I sustain by supplying Oswego at this dangerous time, being obliged to give double the money now to the Men as usually paid (since that murder was committed at Burnets Field[1]) which is the Road to Oswego. I could not get a Man to go with the provisions for any money, therefore have been obliged to get some Indians lately at an extraordinary price to carry some Battoes there, but now can get no more of either kind to go there without a good guard, it being really to dangerous, wherefore I hope Your Excell^{cy} in Council will consider of it.

[1] Now Herkimer, Herkimer county, N. Y. — ED.

As I have in my last p^r^ Abraham Dow acquainted Your Excell^cy^ of the necessity of sending up a supply of goods, shall now let you know what is proper, least you should be at a loss therein; so enclose a memorandum of what is most requisite for the service, the quantitys I leave to Your Excell^cy^. I am quite out of Linnen, not having one piece left, there being more call for shirts than any other thing. I am,

Sir—Your Excell^cys^ ettc.

W. Johnson.

Colonel Johnson to Governor Clinton.

[New-York Papers, Bundle Gg., No. 205.]

19 Aug: 1747.

Sir.

I am just honoured with Your Excell^cy's^ at Albany, where I am now come down to acquaint Coll^s^ Roberts and Marshall of my design, and desire their assistance; the affair is this: one of my parties of Indians returned from Crown Point last Sunday, where they could see very few French and but about 40 Indians, round the Fort having built of loggs six little houses for that use, which is all that has been done there yet. There was seven of the Party went to Lake Sacrament, where they lay two days in sight of the Enemy, whom they compute between five and six hundred men encamped upon an Island, from whence they daily send large parties among us, who seldom fail of doing us mischief, and if not now prevented, will, I fear ere long kill abundance of our people, burn and destroy all the grain, houses ettc, which will entirely ruin the people, to prevent which, I am determined (with the general approbation of all the Indians) to march against them with about 300 Indians, and as many Christians most of whom are Volunteers; if I can but have the opportunity of meeting them, dont doubt giving Your Excell^cy^ a good account of them, for the people are all in high spirits and the Indians quite eager for action. In case we should meet with no success, it will nevertheless satisfye the Indians, being chieftly their desire, it will also terrify the Enemy much, to find such a number of Men in quest of them. Another advantage which may derive from this is giving the Six Nations a better opinion of us, than they have hitherto had, and will undoubtedly engage them to join us against Niagara, should such a thing be set on foot. There are a great many Senecas, Ottawawees ettc now at my house, 20 of which are to go with me, which I reckon a fine thing. They bring me very agreable news from the Foreign Nations, who have sent six large Belts of Wampum to the six Nations, desiring their liberty to destroy Niagara, and that it should be done very shortly, meaning in a month or so; the Six Nations have now sent for them to come to their assistance. I shall let your Excell^cy^ know the whole affair, as soon as they have done speaking, which my coming down prevented till my return. I hope your Excell^cy^ will not let the Indians be neglected or slighted upon any account, as they are now so ready to serve us should we go on with any thing it would vastly encourage them. I am—Sir. Your Excell^cys^

most obedient humble servant

W. Johnson.

Colonel Johnson to Governor Clinton.

[New-York Papers, Bundle Gg., No. 205.]

28 August 1747.

Sir

This is to acquaint Your Excell^cy that I am just setting off this instant for Lake Sacrament with 400 Christians mostly Volunteers and about as many Indians here present, besides vast numbers by the Road, who were met yesterday, by one of my people; he says, for about 12 miles the Road was full of them, they one and all come with the greatest speed upon a call given to some of the Six Nations, that there was a number of the Enemy approaching near us; they have also as they tell me called all the Foreign Indians even Conastogy & Susquehanas, whom they expect every day; upon which I left some people at home to fit them out with what necessarys they want, and send them after me; if we can but meet this army as they call it which is very likely, I hope to give your Excell^cy a good account of them. The Indians being all in great earnest as is plain by their traveling night and day to get hither; what will be done with them all after my return, which will be in about 12 days at furthest, I can't tell, having nothing left of any consequence for them, what would be worse, to let such a parcel of fine stout Fellows go back again without employing them further, wherefore I hope Your Excell^cy Council and Assembly will consider of it seriously before I return, otherwise, I must assure Your Excell^cy there will be no living for me, or any one else in this part of the world, which perhaps the Gentlemen in that part of the Country may be easy at, as it seems to all people here they are, by their backwardness, which, doubt not will be the entire ruin of the Country.

I am with great haste — Sir, Your Excell^cy's
most obedient humble servant
W. Johnson

Speech of the Indians to Governor Clinton.

[New-York Papers, Bundle Gg., No. 207.]

Memorandum of the Cayugas, Ottrowanees head of the Onondages and Flat nose's speech to his Excell^cy on the 17. day of July 1747 at Albany.

As they told his Excell^cy

1^st. They are sensible that His Excell^cy our Gov^r. and also the Gov^r of Boston, have tryed at two several times to bring the Cocknewagas from the French interest into our alliance, under the Five Nations, from whence they are originally proceeded, the reason therefore of some of them going to Canada, is to make a third tryal themselves, if they can by any means bring them over to the British Interest, and say if they can by no means perswade them to return, they shall make no more tryals, but shall reckon them (as they do the French) inveterate Enemies of the British Nation.

2^ndly That at a Battle with the Flatheads, they lost four of their best fighters, and had news that the Flatheads were coming upon them, in three parties, of which they are fearful, one of the parties having done what they came out for, but have no news of the other two,

3ly That one of their Indians in his way down from the Quitways[1] met with three other different Nations at Kichaga, where they lodged all together as they lay there, there came a Battow with nine Frenchmen and landed near them; after they had landed, a Nation called Younondadys, called a Council of all that were present, and told them they knew that the five Nations had taken up the Axe against the French from our Govr, but that they had not taken the Axe, but desired to use their own weapons, which was granted by the rest of the Nations then present. Then they immediately killed eight and took the Commander prisoner, whom they have resolved to return in the place of a great Trader from Philadelphia, which was killed two years ago by the French or his directions, and the scalps they resolved to send where his Excellcy our Govr had hung over the War kettle, but that the Indian appointed to bring them down, had lost his wife, which is the reason, they are not yet come, but they are resolved to send them to where the War kettle hung over, in order to see if they would not give the Broth a good relish to the pleasing of his Excellcys palate. The Ottowauways and other Nations thanked them, and said they intended in a short time to make tryal, if they could not boil the same Broth.

4thly That some Cocknewaga Indians were arrived at Yaugree[2] with a large packet of letters, part of which were for John Ceur at the Seneca's Country, and part of them were opened at Yaugree, there being Indians present who saw when they went to read the letters, they locked the door on them, which made the Indians suspicious; so one of them an Indian that understood French, stood and listened at the door, and found, that they had or was about concluding to destroy the Five Nations, particularly the Cayougas.

5thly That three Nations of the Foreign Indians have agreed to destroy the Fort at Yaugree, for they say a sort of Witches about the said Fort always keep the Path foul and dirty, and for that reason they have resolved to make it clean.

N. B. The Three Nations are the Missesagues, Wawehattecooks and Ockneharuse, who have eight big Castles—the biggest of all the Nations, these people are 1500 or 2000.

Petition of Inhabitants of Coxhaukee, County of Albany.

[New-York Papers, Bundle Gg., No. 211.]

14. July 1747.

Sir,

As by all your actions since the Commencement of the present War, we are well satisfyed and convinced, that you have not only the Interest but the good and quiet of the people of our Country entirely at heart, We therefore beg leave to address you that you will be so good and speak in our behalf to his Excellcy our Govr and Commander in chief (for whom we have the greatest regard) That his Excellcy would be graciously pleased to appoint us Officers Freeholders residing in our own Ward. We take the liberty to set down the names of a few, out of which number be pleased to recommend two, the one to be second Lieut and the other Ensign;

[1] *Sic.* Probably Quatoghees, or Hurons, settled at this time at Sandusky. See Journal, November, 1746 to October, 1747, in *Paris Documents*, post. *Sub dato*, 20 July, 1747.—Ed.

[2] *Sic.* Niagara.

recommend which you please, any of them will be agreable to us, and we are ready for ever to do our duty, and to obey His Excell^cys Commands on all occasions, under whose Govern^t we enjoy all the happiness we can expect in this troublesome and Barbarous War, and that we shall ever acknowledge this singular Favour, which if his Excell^cy will please to grant will make our whole company satisfied and contented.—

Abraham van Franckein	Archibald Hopkins	Jan Halenbeck
Caspar Coyler,	Hendrick Hooghtelingh	Johannes Provast
Joacim Cayler	Hendrick van Slyck	Abraham Provast
Claus Severse	Gerret van Slyck	Samuel Provast
Lindert Comyne	Tunis Hooghtelingh	Jacob Provast
Jan Brenck Jun^r	Hendrick van den Berck,	Isaac Provast
Peir Hoghteling	Nanning Halenbeek	Johannes Spoor
Isaac Cayler	Jacob Jo^s Halenbeek	Jurie van Len
Jan Brenck	Jenas Bronk.	Robert Laterige
Peter Conyne	Mathias Vanderberck,	John T. Bronck
John P. Bronck.	Philip Comyne	William van Slyck
Jan Casper Halenbeck	Phillip Brank Jun^r	Pier van Slyck
W^m Halenbeeck	Hughbertus van Veghten	Jan van den Berck
Abraham Vosburgh	Claus Pare	Robert van den Berck
Johannes Arnyock	Isaac Pare	Jacob Halenbeek
Richard Martin	Jacob C. Halenbeeck	Hendrich Halenbeek
Claus Spoor,	Ephraim Hoes	Arent van Schaak Jun^r
Johannes van Len	Claus van Sloen	

Census of the Province of New-York, 1746.

[New-York Papers, Bundle Gg., No. 214.]

An account of the number of Inhabitants of the Province of New York taken 4. June 1746. by order of His Excellency Governour Clinton.

	Males White under 16.	Males White 16 & under 60.	Males White above 60	Females White under 16	Females white 16 & upwards		Males Black under 60.	Males Black 16 & under 60	Males Black above 60.	Females Black under 16	Females Blcks 16 & upwards	Total Number
City & County of N.Y.	2117	2097	149	2013	2897	.....	419.	645	76	735	569	11717
Kings County	350	435	71	366	464	.....	140	167	32	154	152	2331
Albany County	not possible to be numbered on acc't of the Enemy											
Queen's County	1946	1826	233	2077	1914	.....	365	466	61	391	361	9640
Dutchess County	2200	2056	200	2100	1750	.....	106	160	26	108	100	8806
Suffolk County	1887	1835	226	1891	2016	.....	329	393	52	315	310	9254
Richmond County	445	376	35	421	414	.....	92	88	13	95	94	2073
Orange County.....	536	763	67	871	721	.....	82	99	34	51	44	3268
Westchester County	2435	2090	303	2095	1640	.....	187	180	27	138	140	9235
Ulster County.....	1022	1044	116	972	1000	Total White	244	321	43	229	264	5265
	12938	12522	1,400	12196	12816	51872—	1964.	2529.	364	2216	2034	61589.

NEW YORK IN AMERICA

The refered queries from the Lords of Trade and Plantations, and the required answer from the Collector of the Customs here as by direction of his Excellency the Governour of this His Majtys Province vizt

THE QUERIES.	THE ANSWER THEREUPON AS					
	TRADING IN GENERAL		Present Number of Vessels.	Their tonnage pr Register	and Number of Sea-Men.	PRODUCTION AND MANUFACTURE.
	Inwards.	Outwards.				
What is the trade of this Province, the number of Shipping, their tonnage and the Number of seafaring Men with the respective increase or diminution within 10 years past? — What quantity and sorts of British Manufactures do the Inhabitants annually take from hence? What Trade has the Province under Your Governt with any Foreign Plantations or any part of Europe besides great Brittain? how is that trade carried on? what commodities do the people under Your Governt send or receive from Foreign Plantatns? What is the natural produce of the Country staple commodities and Manufactures? and what value thereof in sterling money may you annually report	First: From Great Brittain: European goods and those India with silk manufactures chiefly.— From Ireland: linnen and canvass as duly certifyed. From British Colonies: ennumerated commodites, Rum, Limejuice, snuff, piemento, sulphur strawplat, deer skins, conchshells, mahogany ebony and Negroes. From Europe and both English and Foreign settlements in America together in Africa: salt. From Africa, within the proper limits directed, Negroes now less than formerly brought hither. From Madeira: wines the growth thereof. From Northern and Southern parts of this Continent: Cyder, Oil, Blubber, Whale fins, Flax seed, hops Flax, Bricks, Seal skins and certain wrought Iron, Brasury and Tin. Lastly from Plantations not under His Majtys Dominions: small quantitites of Molasses, sugar and Rum, since the Act imposing the new duties thereon, Snuff Lign: vitæ, Indico, Logwood and other dying wool, cotton-wool, cocoa nutts ettc.	First: To London and outports thereof, the latter seldom, the enumerated goods and other Merchandize legally imported. To Ireland: Flax seed, Rum, Sugar, being prize effects and Staves. To other parts of Europe grain, hides, Elk skins, Deer skins. Oxhorns, logwood, Indico cocoa nutts ettc of foreign produce, lumber also, Sugar Coffee, wines and other goods as prize effects he brought and in the Vice Admiralty Court adjudicated upon proper certifying. To Madeira and Azores: Grain and other provisions, Bee wax and Staves. To English districts North and South of this Continent and West Indies; provisions, chocolate, lumber, European & India goods with those species enumerated and such others as brought here for export regularly. Lastly: to the neutral Ports: as St Thomas Curaçoa and Surrenbaim: provisions Lumber and Horses with provender.	99	4513	755	First: The Country people here have for many years, & yet, their home-spun (so termed) of wool and Flax to supply themselves somewhat with the necessaries of clothing ettc. From the year 1715. or thereabouts, have been raised Linseed and milled into oil; hats made of Beaver-fur, the exporting whereof prevented by the Act, from Michelmas 1732 also Lamp-black work'd up. From the year 1730 Sugar baking and its refining have been for home consumption and transportation hence to other districts on the continent and to the West-Indies by regular Certificates, and latterly the distilling of Rum and other Spirits; for these are three houses erected. In this province are mines of Iron and Lead ores, the Manufacturing of which have been of late proposed and the raising of Hemp likewise. Lastly; of these several besides, are grain of all sorts and other provisions, with Tobacco, a diminutive quantity naturaly produced out of this soil, yet being with such like brought hither from the Eastern and Western parts of this continent are saleable and vended abroad, cannot be distinguished as to ascertain the annual exporting of their value; neither practicable could it be from the imports thereof seperated, because their prices according to the Markets currently vary in the respective species. —
	These on each Column are particularised so as to the quantities as qualities in the Quarterly lists of Trading Vessels: the transmitting whereof to their Lordships, is from the Naval Officer here, constituted by the Governour and also such Lists duly to their Honours the Commissioners of the Customs from their Officers, hence, thereby may appear, that within the queries mentioned, time, how the increase or diminution differenceth respectively.					
What methods are there used to prevent illegal Trade, and are the same effectual?	Such as are prescribed in the principal Laws of trade and aptly used hereat, whereby to effect the intended preventing and any what contrary to those Laws; and that upon any breach thereof carefuly inquired after by the deputed Officers, process is issued against the same in the Vice Admiralty; or it happening sometimes in the Courts of records of this Province, for the Recovery of the subjected penalty on the Fraud or abuse committed.					

Examined and compared at the Custom House of New York with the Books of Reports and entries therein by.
ARCHD KENNEDY Collctr
5 January 1746-7.

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) X., 448.]

My Lord.

It is with the greatest concern that I must again trouble Your Grace with what has already been the subject of my former letters; but when the papers which I send along with this shall be considered (and which I pray your Grace may be ordered to be considered) I am confident your Grace will be convinced that I have done every thing in my power to prevent your having the trouble, which I am now under the necessity of giving your Grace. Therefore I must observe to you, that in the midst of a most unreasonable & unjustifiable opposition, I have done every thing in my power for his Majesty's service.

That after the most scandalous and false reflections thrown on my person and administration by the Assembly of this Province, I have several times passed them all over & begun a new with them in offering matters for his Majesty's service and the interest of his people, as if no such injuries had been done, and which will evidently appear to your Grace from the Copys of the Messages I sent to the Assembly and their Resolves and answers thereon, which have been formerly transmitted to your Grace and to the Board of Trade & Plantations, or are at this time transmitted. Their behaviour cou'd not have been justified in the manner it has been done, tho' all the facts charged in the Representation had been true, whereas they are absolutely false, as I hope from the papers transmitted to your Grace and to the Board of Trade will appear to be so beyond contradiction. It will likewise appear that the Opposition I have mett with cou'd proceed from nothing but a most malicious spirit of wicked men, who have had nothing less in view than the overturning of the constitution of His Majesty's governments in the Plantations by wresting his Majesty's authority out of the hands of his Officers and placing the Administration in a popular faction and of satisfying at the same time their malicious resentments.

In order to make themselves the more popular, the Assembly has in a most unreasonable manner, not only refused to contribute according to their ability in the expence attending the Expedition ag^{t} Canada, but have thrown the load of it upon the Crown, and have refused contributing any thing towards my retaining the Indians longer in their late engagements with me against the enemy; but are now endeavouring to throw that extraordinary expence likewise upon the Crown, tho' their own preservation be immediately concerned in it; and I can justly say the expence of the Colonys in North America in proportion to their abilities, is in no manner adequate to that which the people of England cheerfully submit to in defence of the liberties of Europe. Great numbers of the people of this Province are become sensible of these things and the popularity of the faction has in a good measure declined, and I hope the necessity of securing themselves will induce them to do what may be requisite for the defence of the Colony till the Spring; yet the saving of money and the ease of the people is so very prevailing that I cannot be assured of success. However nothing in my power shall be wanting to ease the Crown of every charge I can, and nothing shall prevail upon me to add to the expence I have been under a necessity of putting the Crown to, but the immediate preservation of this valuable Colony from becoming a prey to the enemy, by the obstinate humours of a prevalent faction.

As Mr Horsmanden (one of the Council) has been the principal actor in the opposition and in forming the faction against all the measures which I have thought necessary for his Majesty's service, I have suspended him from His Majesty's Council & removed him from the offices of trust which he enjoyed in this Province, for the reasons which are herewith transmitted to your Grace, and which I hope your Grace will think deserves serious attention and will receive his Majesty's approbation. And I beg leave to recommend Mr James Alexander to be restored to the place he held formerly in the Council of this Province, being a gentleman of one of the best estates in the Province and in many respects the most capable of serving his Majesty of any person that I know of; as I have in my former letters to your Grace more particularly set forth.

I must at the same time earnestly recommend Cadwallader Colden, the first in the list of Councillors in this Province, to his Majesty's particular favour. He has been upwards of twenty five years in the Council and has on many occasions (as I am well informed) distinguished himself in his Majesty's service; but more particularly at this time, when without his assistance it would have been impossible for me to have supported the Administration agt a rapacious faction, sett on foot to weaken & distress the orders and powers of the Crown, and I must on this occasion the more earnestly recommend his services to your Graces intercession with his Majesty, because he has not only expos'd himself to the malicious resentment of considerable men in this Province, but by a constant attendance for upwards of fifteen months at a distance from his family, his private affairs have suffered much. I formerly recommended him to be appointed Lieutenant Governour of this Province for these & other reasons mention'd in my former letters.

I must beg leave on this occasion to mention to your Grace, that unless those who distinguish themselves in his Majesty's service, be considered likewise by his Majesty's favour, while others find it so much for their interest to distinguish themselves in popular factions in opposition to the Administration & to the King's prerogative, perhaps none in this Province will for the future expose themselves to such resentments as he has done.

Popular factions and power are become so prevalent not only in this but in all the Northern Colonys, that unless his Majesty's Ministers give their assistance in a different manner from what has hitherto been done, I am humbly of opinion that it will not be in the power of Governours to support his Majesty's authority; and I believe it will appear to your Grace from the papers herewith & formerly transmitted that the aid of Parliament is become necessary.

For this purpose nothing seems more needfull than a certain and fixed support for the Officers of the Government, for from the want of this, the power of faction in the Colonies has been perpetually increasing; and if once a support be fixed for the Officers in the ordinary administration, it will not then be so difficult to obtain any necessary supply on extraordinary occasions, as it is now to obtain the ordinary support. Nothing seems so proper for this purpose as a Quit Rent upon the lands equally rated, as it wou'd be the most equitable and least burthensome method of any that I have heard mentioned; and I am informed that the lands now settled (at the rate of 2s|6d pr hundred acres, (which is the condition on which all the lands are granted, and which is willingly paid by the Patentees) would in this Province immediately produce a fund of above four thousand pounds a year which is more than ever was granted by an Assembly for the support of government, and this fund must yearly increase by the continued improvement of new lands.

Mr Colden being many years Surveyor General of lands in this Province is more capable than any to give all the information requisite on this head; but as many considerable familys

are possess'd of very large tracts on trifling Quit Rents, it is probable he may be afraid of exposing himself to further resentments without perfect assurance of his Majesty's favour & protection, with proper incouragement for so doing.

Since Your Grace's dispatches touching the disbanding the troops raised for the Expedition came to Governour Shirley, I have his directions and advice to maintain the Indians at the cost of the Crown, & likewise the New Levys, till such time as M^{r} Knowles arrives, in order to concert measures with him and me for their reduction, and as the Indians engaged in this service are very numerous as well as the New Levys, I am obliged to continue my drafts on the Government, to answer those ends, and I do assure your Grace that I have and do daily act most frugally for the Crown and I hope not only to receive applause but also credit and thanks for the extraordinary labour, pains, cost & hazard I have been put to on this occasion; and I can farther assure your Grace that the Assembly have flatly denyed me any assistance or contribution towards these expences hitherto, tho' frequently & earnestly applied for; and I must repeat it again that nothing but the aid of Parliament can bring them to a sense of their duty to his Majesty.

In a former letter I recommended to your Grace Colonel Johnson's services among the Indians, he being chosen by themselves to be their Colonel; and had the Expedition gone on, I cou'd have answered for the reduction of Canada by their means: they are still hearty for that end, and Colonel Johnson is indefatigable in keeping up that Spirit, and as this Gen^{n} is Sir Peter Warren's nephew I cannot avoid doing him justice, or too much recommend his services & merit to your Graces consideration.

I am now endeavouring to take the charge of the Indians off the Crown & to bring the Assembly of this Province to join with the Massachusets and Connecticut governments upon some enterprize against the French in Canada, & to secure the Provinces against their attacks Commissioners for these Provinces with this, being now conferring here for that purpose; and if this Province do not fail in their quotas, I am in hopes to give the enemy a fatal blow in their own country by the assistance of the Indians, their chief Sachims or Rulers for each Nation having declared to me but yesterday in publick before all these Commissioners, that they wanted nothing more than the reduction of the French Country in Canada, or to that effect, as they had taken up the hatchet & used it agst the French & their Indians at my desire. The word Hatchet is a term of their's, to engage in War.

The subject matter of this letter has unavoidably made it long, and I can make your Grace no other apology than that I thought it my duty to acquaint you with every thing that has occurred to me for His Majesty's service and the welfare of the Province; and I am with the highest respect, My Lord

Your Graces most humble
and most obedient Servant
G. Clinton.

New York
27 Sept^{r} 1747

His Grace the Duke of Newcastle &^{c} &^{c} &^{c}

(Indorsed) "Rec^{d} Nov^{r} 30th"

Governor Clinton to Colonel Roberts.

[New-York. (S. P. O.) X., 382.]

Copy of a Warrant to Colonel Roberts 14th September 1747.

By His Excellency &c

You are hereby required and directed to order three of the Companies of the New Levies from the Camp at Green Bush into the City of Albany, to be quartered in the Blockhouses or such other quarters as the Mayor & Corporation shall provide for them, who are also to find them in fire and candle (to ease and relieve the Militia) & there to remain till further orders. You are to give them strict charge how they are to behave themselves; and for so doing this shall be your Warrant &c &c

G. Clinton

To Coll. Roberts
14th September 1747.

Copy of Col. Roberts' letter in answer to above sd Warrant.

18 Septr 1747.

Sir

According to your Excellency's orders I have applyed to the Mayor & Corporation for Quarters either in the Block-Houses or elsewhere for 130 men with their officers, with fire and candle, & that as soon as he would please to order billets for the men they should be ready to do duty in the town. He told me in answer that hearing the report of their being ordered in, he had proposed to some of the Burghers who were entirely averse to their being in town, & that he would not force them to it contrary to law, of which he had taken advice, much less find them in fire and candle, nor had he money in his hands to defray such an expence. He called a Common Council a Tuesday, when it was agreed that since they could not carry their point in having the three Albany Companys (as they term them) in the City, they will have none, & for fear the New Levies should take possession of the Block-houses, Major Collins ordered to be all locked up, which they still continue to be.

By the returns enclosed your Excellency will see we have not more men well in the whole than would be requisite to garrison Fort Clinton, had I sent a relief, and therefore did not, at this time, judging your Excellency would not have this city left destitute of defence.

The party escorting the provisions to Saraghtoga marched this morning, but with difficulty it having been industriously reported in this town that they were to remain there, which is the occasion of more desertion last night. It is impossible to relate the many malicious reports that are continually spread in order to distress every Company but those raised in this County.

When I sent the last express, Coll. Johnson was at the Mohawks, nor had I time to let him know; he is now in town, and goes for York tomorrow with ten of the chief Sachems of the Six Nations who were come to him with three Belts to assure him of their readiness to go out whenever he called them; and as our Assembly are not all endued with a Christian Faith, they go down to make the same declaration of friendship.

Jno Roberts.

Governor Shirley to Governor Clinton.

[New-York. (S. P. O.) X., 333.]

Extract of Gov^{r} Shirley's letter 14th September 1747.

As the General Court was sitting when your Excellency's express came, I communicated to the Council & Representatives the extract of Coll. Johnson's letter your Excellency sent me, that I might trye what lengths themselves would go in concert with your Assembly towards enabling your Excellency to improve the present disposition of the Six Nations in favour of his Majestys service. The result of their answer to me was that the Commissioners had full power to act on their behalf for engaging the Indians in y^{e} English interest with your Commissioners, to join with this Province in doing their duty to their King and Country.

I think after calling upon the Assembly in the manner you have done, to provide for the expence of keeping the Indians employed in His Majesty's service & preventing 'em from going over to the French interest, which they will infallibly do if they are not supported by us & kept in action, & your Assembly's refusal to make such provision, as they seem hitherto to have done, will also hinder likewise this Government & all the rest from doing any thing toward it; I say y^{r} Excellency may safely engage in such expence on behalf of the Crown, as shall be requisite at this most critical juncture, to keep the Indians firm in the fidelity, & in case the Colonies should contribute any thing towards defraying the charge, but not sufficiently for that purpose, that your Excellency may supply, on account of the Crown, what the Colonies shall fall short of doing towards it; as you have already begun to do, I think in the most prudent manner by y^{r} orders to Coll: Johnson.

The reason upon which I ground my advice are, that His Majesty has declared by the Duke of Newcastle's letter of the 9th of April 1746 his dependance upon the assistance of the Indians as his allies and friends from the beginning of the intended expedition against Canada, that presents have been constantly made them at the expence of the Crown for retaining them in their fidelity, & that yo^{r} Excellency, as His Majesty's Gov^{r} of New York has the immediate care of doing this committed to you by His Majesty.

I can't but think for these reasons that your Excellency's engaging in the necessary expences on the part of the Crown for promoting His Majesty's service in so essential a branch of it, will be approved of by the Ministry. And I herein advise your Excellency to what I would do my self was I under the same circumstances with you. I am with the greatest respect

Sir

Your Excellency's most obedient
humble servant
W^{m} Shirley.

A Short Account of Governor Clinton's Conduct.

[New-York. S. P. O. X., 437.]

A Short Account of the Governour of New York's conduct since the time he received His Majesty's orders to make preparations for an expedition against Canada, to the present time.

Humbly submitted to His Grace the Duke of New Castle His Majesty's Principall Secretary of State.

With what earnestness the Governour pressed the Assembly of this Province to grant the supplies which were expected from them for the Expedition intended against Canada appears from his speech to the Assembly of the 9th of June 1746.

While the Assembly keep to generalls none could exceed them in loyall and hearty expressions: But when the Govr descends to particulars and requires of the Assembly by his message of the 18th day of June 1746. that this Colony should make some additional presents to those which the Govr intended to make in behalf of the Crown, to the Indians, in order to engage them heartily in the war, and tho' some of the neighbouring colonies complied with this requisition of the Governour, yet the Assembly of this Colony absolutely refused it and likewise refused to contribute any thing towards batto's, tents, or other necessaries for that expedition, and for which he had no orders to provide at the expence of the Crown, tho' the neighbouring Colonies provided for these expences.—Their refusall appears by their resolves of the 20th of June 1746.

The Govr by message the 4th of July demanded provisions for the Indians of the Six Nations who are dependants on this government and for so many of the independant Companies in this Province as should be employed on the expedition and for the expence of transporting the artillery and warlike stores.

By his message of the 7th of July he inforced his demand with requiring them to advance the money for these services, for which he offered his bill on the Treasury for so much of that expence as they should think not incumbent on them to bear; to which by the resolves of the Assembly of the eleventh of July 1746. he received a flatt denyall

Soon after this the Governour went to Albany in order to engage the Indians in the war, against the French, in which he had the greatest difficultyes to struggle with that could possibly happen in such a case. The Indians by the ill usage they had received from the people of Albany in time of peace were in the worst disposition, the French had emissaries among them, using all the artifices in their power to turn the present disaffection of the Indians to their advantage. The trading people of Albany ever since the commencement of the war had endeavoured to establish a neutrality by the interposition of the Six United Nations, between this Province and Canada, as was done in Queen Anne's war, by which the Frontiers were secured without any expence and a beneficiall trade was carried on with Canada; but by a method which exposed all the New England Colonies to the ravages of the French and of their Indians, and the very men employed by this government were chiefly concerned in these measures. Notwithstanding of all these difficulties, the Governour brought the Indians into the war, beyond the expectation of all that had any knowledge of the Indian affairs at that time.

By Mr Gooch's declining to take the command of the forces at Albany, the Governour had a new and unexpected care thrown upon him, of all the forces that rendevouzed at Albany, who came to that place most of them unprovided with almost every thing that was necessary to put them on action; and when every thing was at last prepared under the greatest difficulties, the disappointment by the Fleet with Generall St Clair not arriving and by a strong French fleet appearing on the Coast of Nova Scotia, the Govr was obliged to alter all his measures in order to secure the Province against the attacks of a formidable enemy both by sea & land.

While the Govr was strugling with all these difficulties, such as no Governour in America ever underwent before him, he was informed that a popular faction, of men influenced only by their passions and private resentments, were preparing to give all the opposition possible in the Assembly, which he was obliged to meet immediately after his return from Albany, and it was from his knowledge of this faction that his speech to the Assembly on the 17th of October 1746 was in some part formed.

The Governour when he left Albany had ordered the forces there to march to the Carrying place, (a pass between Albany and Canada, by which the French parties make their incursions, on the frontiers of this and the other Northern Colonies and is likewise necessary to be secured on any design of marching forces, either from this to Canada and from Canada this way) and there to build a Fort sufficient to secure that pass and to leave a garrison in it. But when the forces were ready to march, the Assembly's Commissioners who had the provision for the forces in their hands refused to give provisions, and by that and other obstructions industriously thrown in the way while the cold season of the year advanced, the Commanding Officer was obliged to lay aside that design; tho' to this day all men agree that nothing is more necessary than a Fort at that place, and now at the time the Commissioners who are met in this place with Commissioners from Massachusetts Bay to concert measures for their joint defence, propose this to be done in the first place, as necessary to the security of all the Northern Colonies. This is what was meant by the fortified Camp mentioned in the Govrs speech of the 17th of October.

The Assembly's Commissaries refusing to deliver the provisions &c was the occasion of the Govrs message of the 23d of October 1746. when he likewise required that so many of the four Independant Companies, as were employed in the service of the Province along with the new levies, should be put upon the same footing with the New Levies, of having provisions over & above their pay. In answer to this speech and message the Assembly made their Representation of the fourth of Novr following. The Govr thinks it needless to make any observations thereon but to submitt his speech and message and the Assembly's representation to His Majesty's ministers, as they stand by themselves.

The Assembly continueing to asperse the Governour's Administration and the principall persons employed in it, by their resolves of the 8th of November, the Govr on the 10th of Novr sent his answr to their Representation; which he hopes His Majesty's Ministers will think contains nothing that could reasonably give offence, and by a message on the 24th explained to them the necessity the Commanding Officer was under in taking the provisions, as is particularly set forth in that message; the consequence of which were the resolves of the 26th of Novr and at last, that no pretence might be left, he condescended to the message of the 28th.

The desire the Govr had to free the Crown from the expence of provisions for all the levies in New York which otherwise must have fallen on the Crown by the Assembly's obstinacy, he

hopes will excuse him with His Majesty in condescending so far, and in giving his assent to the Bill for supply of Provisions in the manner it came from the Assembly. After which a close was put to the Session.

The want of provisions since the Assembly had granted the supply only to the first of May, and the great charge the Gov^r^ was at in keeping parties of Indians constantly in service and in securing the fidelity of all the Indians in amity with us made it necessary for him to meet the Assembly in the Spring in hopes that they would free the Crown at least of a part of this great charge, by taking it upon themselves. For this purpose the Gov^r^ opened the Sessions by a speech the 25^th^ of March 1747. in which he carefully avoided mentioning every thing that could renew the differences which had subsisted last fall, and spoke as if no such differences had ever subsisted.

In answer to which the Assembly without returning any answer to his speech by address, as has been always usuall at the beginning of a Session but in a disrespectfull manner having entered into severall resolutions on the subject matter of the Gov^rs^ speech, among which was one to adhere to their Representation in the preceeding session and declining all expence in supporting the Indians, Ordered two of their Members to serve the Gov^r^ with a Copy of their Resolutions. After which having past the Bill for supply of provisions with clauses in it highly disrepectfull to the Gov^rs^ character and injurious to his honour, and by a resolve of the 16^th^ of April wherein it was insinuated that notwithstanding that this Province had been at a great expence in raising forces and victualling them they had remained unemployed or in effect useless to the security of the Inhabitants, and having repeated the same insinuations by a message on the 23^rd^, the Gov^r^ thought it necessary in his own justification to lay before them what he had done for the security of the Province and the ease of the people in it, by a message sent on the 24^th^ of the same month.

In answer to which the Assembly made that insolent Representation of the 19^th^ of May, presented the 26^th^ of that month 1747; such, as it is thought, no instance can be given in any government where there was not a fixed resolution to alter the constitution. Tho' the Gov^r^ thinks that the Insolence of the Representation sufficiently appears of itself, and the malicious spirit which has dictated it; yet as he is desirous as much as may be to clear his honour and character from the falshoods and slanders therein ascerted, he begs leave to referr to remarks herewith sent, in answer to that Representation, and which were formerly sent to the Board of Trade and Plantations.[1]

In all this, while the Gov^r^ was put under great difficulties in what manner to act, as he had received no manner of instructions from His Majesty's ministers with respect to the Expedition intended against Canada or any of the affairs of this government, and at the same time there was reason to expect the arrivall of the Fleet every day, in prosecution of the expedition, since no orders had arrived to disband the forces or to dispose of them otherwise; on which account there might not be time to dissolve this Assembly and to call a new one, since upon the arrivall of a Fleet the sitting of an Assembly might be necessary to grant the supplies requisite on such an exigency. And about this time likewise the New Levies began to mutiny and to be very disorderly for the want of pay, which disorders were encouraged by the people of Albany who hoped to make advantages by the soldiers receiving their pay, and perhaps were likewise encouraged by disaffected people or such who hold private correspondence with the French.

[1] Printed, *supra* p. 365. — Ed.

As the Governour had no orders for the payment of these troops and had already drawn for large sums for securing the fidelity of the Indians and all the necessarys which were requisite for the marching of the forces, he did what was in his power to avoid this expence till His Majesty's pleasure should be expressly known; as will appear from the minutes of Councill about this time; but as the Gov^{r} had reason to apprehend in this case, a totall or great desertion, which was threatned with other evill consequences he by the advice of the Councill was induced to pay two months pay to the New Levies and their subalterns, but as M^{r} Schuyler who commanded the New Jersey forces, was by the perswasion of the people of Albany induced to pay the whole pay to the forces under his command, the other forces would not rest satisfied, and not only threatned to desert but to take their pay in the plunder of the country, as they marched off: which will likewise appear from the Minutes of the Councill. The Gov^{r} in order to prevent the disappointments and miscarriage of the Expedition in case his Majesty should still resolve to prosecute it, and to prevent the mischiefs that might happen to the Province under his care, by the mutiny, and at the same time to take as little upon himself as possible, sent the message of the second of June. In answer to which the resolve of the Fourth was made, and which from several circumstances the Gov^{r} is perswaded was drawn up by Chief Justice De Lancey, tho' he be a member of the Councill and not of the Assembly.

Soon after the Gov^{r} went to Albany in order to quell the mutinous disposition of the soldiers, which he effected while he was there; and soon after his return he received severall letters from M^{r} Shirley Gov^{r} of the Massachusetts, pressing to have a Congress formed at New York, in order to engage all the Colonies in North America in some enterprize against Canada and to concert measures for their mutuall and joint security. The Gov^{r} having laid these letters before the Councill, they were of opinion that it was too late to form any Congress to concert any enterprize against the enemy, to be put in execution this season and therefore formed a plan for attacking without delay the French Forts at Crown Point and Oniagara at the same time, the success in the last of which promised many advantages to Great Brittain, in the fur trade; but as this plan could not be put in execution without the necessary supplies to be granted by the Assembly, the Governour applied to the Assembly for that purpose, by his message of the fourth of August. By their resolves of the 6th it appears that they in effect refused, unless the plan were communicated to them and approved of by them; whereby their claim to the administration even in Military Affairs became evident, which had it been complied with, every man, the least acquainted with the circumstances of this Province, evidently perceives must have discovered the whole plan to the Enemy, and it was agreed that thereby the execution of the plan was become impracticable.

The Scarborough man of war being arrived soon after this, with dispatches from the Duke of Newcastle to Gov^{r} Shirley, the Gov^{r} remained in suspence till he should know his Majesty's pleasure in relation to the Expedition. M^{r} Shirley, by the return of the Express which carried the dispatches, informed the Governour that the expedition was laid aside, and that his Majesty expected the Colonies should advance the pay of the soldiers levied for that expedition, till such time as a fund be provided by Parliament, whereby & from other circumstances the Governour perceived how desirous the Ministry were to have all possible charge on them saved Gov^{r} Shirley likewise at the same time in the strongest terms advised the Gov^{r} to keep secret the whole of the intelligence he had received from him.

In consequence of this the Governour advised with the Councill, which produced that report of a Committee of Councill of which the Gov^{r} complains; and at the same time their address to him was produced, in which they, by a publick application to him, endeavour to inflame the people's spirritts against him; but as to these the Gov^{r} must referr to the charge against M^{r} Horsmanden, and the proofs of that charge, which are transmitted with this.

In order to save as much as possible all expence to the Crown, the Gov^{r} sent the message to the Assembly of the 28th of August 1747 which produced the resolves of the 2^{d} of September. The Gov^{r} in consideration of the supplies that became necessary for the security of the Province, and the necessity likewise of saving as much as possible every expence to the Crown, at this time, sent a second message to the Assembly on the 10th of September, which produced the resolves of Assembly of the 12 Sept^{r}. And tho' the Governour thinks these Resolves indecent and disrespectfull in the manner, as well as undutifull to his Majesty in the substance of them, he will make no remarks on any part of them, but what relates to the four Independant Companies which have been kept in this Province above fifty years, for the defence of it, at the charge of the Crown. These troops are now posted at Albany, a place in a manner blockaded by the enemies sculking parties, where none dare go out at any distance from the gates without a guard, and where the soldiers cannot earn one penny by labour when freed from duty, or have any means for their subsistence, but from their pay, and which in that place is not sufficient for that purpose, and the Gov^{r} thinks it unreasonable that these old troops should be worse used than the New Levies, who have both provisions and their pay, and he apprehends that if provisions should be refused them it will occasion mutiny or desertion, and in consequence perhaps their totall dissolution. Considering what use the Assembly had made of the liberty of making Representations to him, he thought it his duty not to receive any at this time, as by their resolves of the 12th Sept^{r} they proposed and therefore was under a necessity to put a stop to this by a short prorogation.

Tho' the Gov^{r} has good reason to think that the people are generally dissatisfied with the conduct of the Assembly, yet he cannot dissolve them, because Commisssioners are now here to concert measures for the joint defence of the Colonies, and the Assent of the Assembly may be immediately requisite to the supplies which may be stipulated for this Assembly to give, and any delay may be præjudiciall to all the Colonies; and as the Gov^{r} every hour expects M^{r} Knowles & M^{r} Shirley their resolutions as to the disbanding the forces, the Governour is under a necessity of keeping this Assembly sitting, that he may demonstrate that he has omitted nothing in his power for His Majesty's service, and that for that purpose passes patiently over all personall indignities offered to him.

I[n] the last place the Governour humbly submitts to your Grace this account of his conduct since the time he received orders to make preparations for an Expedition to Canada in confidence that your Grace will thereby be induced to make a favourable Representation of the same to His Majesty.

(signed) G. Clinton.

New York 27 Sept^{r} 1747.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 188.]

New York 29. Sept^{r} 1747.

My Lords,

I beg leave to inform Your Lord^{pps}, that for the reasons I suspended M^{r} Horsmanden, I was (with other aggravations) under the necessity of suspending M^{r} Stephen Bayard from his Maj$^{ty's}$ Council, who came hot from the faction, and threatned my person in a most insolent manner, to intimidate me to complye with their vile measures; but as I have not time now fully to enumerate to your Lord^{pps} many other Reasons for suspending this Gentleman, I make no doubt but that the General Reasons for removing both will be thought weighty enough with Your Lord^{pps} to have their suspension confirmed, for the preservation of His Maj^{tys} authority. I am with very great respect

My Lords,

Your Lord^{pps} most humble and
most obedient servant.
G. Clinton.

Mr. Horsmanden to the Lords of Trade.

[New-York Papers, Bundle Gg., No. 188.]

New York 29. Sept^{r} 1747.

My Lords,

As his Excell^{cy} our Gov^{r} on the 12th instant thought fit to suspend me from my seat at the Council Board, without advice or consent of Council, or any Reasons assigned, saying only "he should transmit them to His Majesty and Your Lord^{pps}." I was under a necessity, at the time, of requesting his Excellency to favour me with a copy of his Reasons, that I might have the opportunity of answering them, and vindicating my conduct at home; to which his Excell^{cy} was pleased to answer "that he should do what is proper" and on the 19th instant I renewed my application for the purpose, by letter, entreating the favour of an answer, but have not as yet had any; but on the 22^{d} was superceeded in my Offices as Justice of the Supream Court, and Recorder of this City; likewise without advice of Council, or any reasons assigned; and on the 26th I made my humble suit to his Excell^{cy} to favour me with his reasons for these several severe marks of displeasure, that I might not be condemned unheard, but have not been honoured with his Excell^{cys} answer to either.

It gives me extream concern to find that His Excell^{cy} has conceived so high a disgust at me not being conscious that I have given any just cause of offence, and I was the more surprised I should thus innocently suffer, as I had occasion of flattering myself his Excell^{cy} was pleased with my services the first two years of his Administration to whom (as I was honoured with his Excell^{cys} confidence) by time was chiefly devoted, and I am sure I've received no other Recompence, than the satisfaction of rendering services, out of the ordinary way of my duty.

This suddain alteration in His Excell^{cys} opinion of me, I can attribute only to the ill Offices of M^{r} Colden, who for about twelve months past has ingrossed his Excell^{cys} confidence, in so much that the rest of the Council are become almost useless, being rarely advised with; and when they are, and they report their opinion on matters committed to their consideration, if it happens not to suit M^{r} Colden's taste, the Report is suppressed, contrary to the sentiments of the majority. One instance of this kind happened on the 28th of August last, I beg leave to inclose Your Lord^{pps} a copy of the minute of Council and Report, by reason I apprehend the proceedings of that day, have been the sole occasion of his Excell$^{cy's}$ severe resentment against me.

In this case, as I was Chairman of the Comm^{te} and according to the usual practice, I moved his Excell^{cy}, that the Committee had considered of the matters referred, had drawn up their opinion and were ready to make their Report, when his Excell^{cy} would please to receive it; and thereupon with his Excell^{cys} leave, the Report was read by me, and delivered to his Excell^{cy}; then the question upon it of course should have been put by the Gov^{r}, whether the Council agree in opinion with the Committee? but immediately after the Report was so received, M^{r} Colden moved, that it might not be received; whereto I answered to this purpose, that I was surprised that a Gentleman who had been so long at that Board, should have so little of practice, as to make a Motion which in my opinion was altogether absurd, for, the next question should have been as above; but debate arising, and the proper question not being put, it ended in the manner as appears by the Minutes, and I think I said, 'twas the first instance where, in any body I was concerned with, the Minority overruled the Majority; however by this Method, the Report is suppressed, and will not appear in the Minutes of the Council, 'till after the usual question is put, which has not yet been done.

In this Transaction I assure Your Lord^{pps}, I had not the least intention of offending his Excell^{cy} and I thought I did no more, than my Duty, to his Maj^{ty}, and his Excell^{cy} required of me—

What I have most humbly to entreat of Your Lord^{pps} is, that nothing further may be done to my prejudice in the particulars before mentioned, till I have a copy of his Excell^{cys} Reasons for what he has already done, that I may have the opportunity of answering them, and being heard by my Council.

I am with the greatest duty and respect
My Lords,
Your Lord^{pps} most obedient and
most humble servant

To the Lords Commissioners for Trade & Plantations. DAN: HORSMANDEN.

Governor Clinton to the Duke of Newcastle.

[New-York. S. P. O. X., 470.]

My Lord.

I am exceeding sorry that I must so soon again trouble Your Grace with the affairs of this Province. Your Grace will see from the inclosed Message sent to the Assembly in what manner I have endeavoured to make them take charge of the defence of the Province upon

themselves and to free the Crown from the great expence of preserving the Indians in their fidelity. The return which I have had will likewise appear from the Resolves of the Assembly in answer to it.

Your Grace will discover a most malicious resentment run through the whole, with an endeavour to slander my honour in the most tender point, by a base insinuation that the large sums I had received on my bills drawn on acc^{t} of the Indian Affairs, had not been applied to that use, because they had not heard of it, notwithstanding they know the great number of Indians and Whites which I had in constant pay, no less than six hundred Indians together at one time, besides the maintaining between two & three thousand men women and children for a considerable time at the last treaty when I engaged them in the expedition ag^{t} Canada, with great & valuable presents into the bargain, and likewise the great expence I have been put to in sending messages & presents from time to time to many others, & some of them far distant Nations. Not a man of the Province who knows any thing of publick affairs but has heard of these things, & knows they must be attended with great expence.

The only hopes I have agst this malicious faction is that the common people & strangers cou'd never imagine that an Assembly of any country wou'd be guilty of asserting such notorious falsehoods. The expectation I had that the expedition agst Canada might go on has hitherto prevented my exerting my authority agst this horrid faction, which has so great influence in both Council & Assembly; but now I shall endeavour to support the King's Authority as it becomes his Governour of this Province, and as I doubt not of your Grace's assistance, I must intreat you will please give me speedy answers to what I requested in my former letters, as also to M^{r} Colden & M^{r} Alexander. If these two are done with proper instructions touching the conduct of the Council & Assembly, but more especially on the conduct of the Chief Justice of the Province, who is most active in the faction, I persuade myself things will soon return to quietness & all persons to a due submission.

I am with the highest respect, My Lord
Your Grace's most humble
& most obedient Servant
G. Clinton

New York 9th Octo^{b} 1747.

Please to turn over

P. S. I allow that great sums are drawn upon account of Indian presents, but as I could not get money to pay the troops levyed for the Expedition upon any other Bill than those for Indian presents, I continued drawing in that light for the use of the levys, and for which I shall render seperate and distinct accounts

G. Clinton.

I am obliged to write to your Grace in a hurry but hope in my next I shall be able to give your Grace intire satisfaction in regard to my proceedings, being assured that the measures of the Assemby are perfectly contrary to the inclination of the people, who blame their conduct every where.

G. Clinton.

His Grace the Duke of Newcastle &^{c} &^{c} &^{c}

(Indorsed) "Rec^{d} Dec^{r} 19."

Governor Clinton to the Duke of Bedford.

[New-York. S. P. O. Vol. X., p. 479.]

My Lord Duke.

By the death of Mr Van Courtland[1] one of His Majesty's Council for this Province there remained but six Councillors in the Province; and as His Majesty has given me a power by my Commission to appoint a Councillor on that occasion, to make up the number of seven, I have appointed Edward Hollond Esqr (a gentleman of good fortune and character) a Councillor in the room of Mr Van Courtland, & he has taken his seat accordingly at the Council Board.

I must also beg leave to make my application to your Grace in favour of James Alexander Esqr to be restored to his seat in Council for this Province by the suspension of Daniel Horsmanden, and that your Grace will be pleased to recommend Brandt Schuyler Esqr to be a Councillor in the room of Stephn Bayard suspended. These three appointments are extremely necessary to be made at present, and hope to have your Graces favour therein.

I beg leave to inform your Grace that I had formerly by letter to the Duke of Newcastle recommended Mr Allexander to be restored to the place and seat he formerly had in his Majesty's Council of this Province in the room of Mr Horsmanden, whom I have suspended from ye Council. Whatever were the reasons of removing Mr Allexander they are long since ceased and I intreat your Grace that he may be restored accordingly, for he is a gentlemen of one of the best estates in the Province of much knowledge and long experience in publick affairs, and thereby can be of more use to me and to any succeeding Governour than any other person in this Province.

I have the honour to be with the greatest regard
My Lord Duke
Your Graces most humble
New York and most obedient Servant
11 Octobr 1748 G. Clinton.

His Grace the Duke of Bedford.

Governor Clinton to Mr. Under Secretary Stone.

[New-York. (S. P. O.) X., 485.]

New York 8 November 1747.

Sir.

I did myself the pleasure to write to you the 27th September last by the Scarborough man of War, which I hope you have received, as it contains many hardships I labour under by unjust

[1] Philip van Cortland, 3d son of Stephen V. C. and Gertrude Schuyler, was born 9th August, 1683, and married Catharine, daughter of Abraham de Peyster, *supra*, IV., 777, in 1710. He was called to the Council 3d February, 1730, and took his seat in that body in April following. He died 21 August, 1746, leaving six children, viz., five sons and one daughter. His fifth son, Pierre van Cortland, was distinguished afterwards in the Revolution; he was President of the Committee of Public Safety, and the first Lieutenant-Governor of the State of New-York. — Ed.

calumnies & seditious practices carried on against me by the people of this Province, for defending His Majesty's rights and Prerogative which have been most audaciously attacked by both the Council & Assembly of this Province; & for this end they have publickly avowed the horrid neutrality, which they wanted to preserve with the Indians & French, at the expence of the lives and fortunes of the neighbouring Governments.

This unbecoming conduct in them has greatly embarrassed me in the prosecution of His Majesty's service, & in some measure anticipated the great part I have undertaken for the preservation of His Majesties Colonies in North America upon the event of the Expedition.

Upon this occasion I have the highest reason to observe that M^{r} De Lancey, the Chief Justice of this Province, has been one of the principal authors in obstructing every measure that could promote his Majesty's service that he was pleased to order for the reduction of Canada, by his endeavouring to maintain the above mentioned neutrality, which in all probabillity would have tended to the ruin of His Majesty's neighbouring colonies & the inhabitants thereof, as was done in Queen Anne's war. But notwithstanding he refused attending me to Albany as one of His Majesty's Council and upon whom I depended as Chief Justice of this Province to assist me in engaging the Six Nations of Indians, I brought them into the terms His Majesty expected, contrary to his inclinations and endeavours, joined with some others of His Majesty's Council; for which reason I suspended two of them, viz^{t} M^{r} Daniel Horsmanden and M^{r} Stephen Bayard, which I persuade my self will be approved by his Majesty, for the reasons transmitted to His Grace the Duke of Newcastle.

I have already complained of M^{r} De Lancey's conduct, to the Ministry, & I hope he will be remarkably taken notice of by them, as a person no way proper to be continued in the employment he enjoys here, or in any other service under the Crown.

I am to acquaint you that this day I received directions from Governour Shirley & Governour Knowles for discharging the troops levied for the Expedition against Canada, & I shall act agreeably thereto. But as this Province has absolutely refused granting any credit to the Crown for this service for paying off the forces raised, I shall be under a necessity of continuing my drafts on the Crown for that purpose.

As the principal load of this service has devolved upon me, which admits of many articles in accounts that will take up some time to adjust & liquidate it is not in my power to transmit to his Grace any particular account thereof, by this opportunity; further than a gross sum, which I conceive will be wanted to discharge all accounts & demands relative thereto on my part, including the amount of what I have already drawn, in case His Grace should be under a necessity of applying to Parliament for a fund to answer all the services & expences incurred upon this expedition.

In the mean time I desire you will represent to His Grace that I will act the most frugal part in behalf of the Crown consistent with my honour & proclamation for encouraging men to enter into this service pursuant to his Grace's directions.

I am with great regard, Sir,

Your most obedient humble Serv^{t}

G. Clinton

You will see by the inclosed Papers what lengths the Faction are carried to and how I've been obliged to speak to the Assembly in my own vindication, and I've some reason to think His Grace's silence to me upon the many matters & complaints transmitted to him, incourage

their violent spirit. As the Assembly has publickly avowed the neutrality & corresponding with the enemy, w^ch^ I think is High Treason, I conclude they will next in like manner disavow any orders from the Crown, w^ch^ they have in part done already by the Militia in this City unanimously refusing to comply with the within orders.

To Andrew Stone Esq^r^

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) X., 507.]

My Lord

It is with the greatest concern that I have occasion to trouble your Grace so frequently upon matters that must be disagreable to you; but as I have fully in my former letters represented the state of this Province, and who where concerned in carrying on a faction in opposition to His Majesty's service and the welfare of the Colony, I am now under a necessity of remarking again that M^r^ James De Lancey Chief Justice of this Province is insatiable in his persuit of power however base and dishonourable they are to all loyall subjects. And I must beg leave to observe to Your Grace that this gentleman sticks at nothing to accomplish his points in view, however distructive they may be to His Majesty's authority or good government. And as I conceive it will be less trouble to prevent his designs than to remedy them, I am determined to suspend him from his seat in Council; and I hope to have your Grace's assistance to remove him from his employment as Chief Justice of the Province, which I cannot do here as he artfully some time ago insnared me to grant him a commission during good behaviour, and when that was once obtained he presently changed his conduct and deserted me, and ever since has been attempting to weaken the powers of the Crown by advising and promoting unjustifiable steps with the Assembly, who are at all times too fond of catching at any opportunity to lessen His Majesty's prerogative. Therefore I hope your Grace will in particular take notice of this gentleman's conduct, as a person no way proper to be continued in his employment or in any other service under the Crown.

The present Assembly's behaviour has been (as will appear by the inclosed papers) so insolent, that I cannot avoid dissolving them, when once I can bring the affairs of the Province into any state of safety by their means.

I have received directions from M^r^ Shirley & M^r^ Knowles 28^th^ Octob. last, to discharge the troops raised for the Expedition against Canada; but as the Assembly of this Province has positively refused lending the Crown any money, or giving it any credit to pay off these troops pursuant to His Majesty's recommendation, I shall be under a necessity of continuing my drafts on the Crown to pay off the Officers and men belonging to this Province that ingaged in this service agreeable to my proclamation, as no expedient can be found out, consistant with my honour and safety of the Province to lessen that expence, for reasons already transmitted to Your Grace.

As the principal load of this service has unfortunately devolved upon me, which admits of many accounts that will require time to adjust and liquidate, I cannot now transmit to Your

Grace the exact expence that has and will accrue upon the discharge of these troops, but can only mention a gross sum amounting to about £55000 stêrl. which I conceive will take in the whole I have drawn & shall be obliged to draw for, to answer those purposes, in case His Majesty shou'd be obliged to apply to Parliament for a fund to make good the same.

I shall not longer trespass upon your patience but refer your Grace to what Mr Shirly and Mr Knowles shall represent on the subject matter of this service and the circumstances I am under, occasioned by the faction raised up in opposition to my administration, and which more evidently appears in the conduct of the Militia this day.

When I received orders for discharging the troops raised upon the expedition, I was apprehensive the frontiers wou'd be too much exposed to the incursions of the enemy when those troops were dispersed; therefore I recommended to the Assembly to retain 800 men upon the pay of the Province, by allowing the Officers, that raised these men, King's pay, as the only probable means of securing the men for that service; which they refused to do. Whereupon I issued my orders to the Colls of Militia of the respective Countys to hold their regiments in readiness to march upon any emergency or sudden attempt of the enemy; accordingly this day the Militia regiment of this City with the Independent Companyes were drawn out, and, when in the field, my orders were read to them by their Coll. & Capts. But every man unanimously refused to obey any orders from the Crown, unless an Act of Assembly was passed in the Province for that purpose; which shews how well my opinion of their levelling and the republican principles has been grounded from time to time. I am with the greatest of Respect, My Lord

Your Graces most humble
and most obedient servant
G. Clinton.

New York
9th Novr 1747

P. S. Nothing has incouraged ye faction so much as this, that I have not been able to obtain any thing to show to them, signifying His Majests approbation of my conduct, or displeasure of theirs. If this was done I have good reasons to hope that the publick affairs of this Province would soon put on a different face; as happened in ye beginning of Mr Clark's administration after most violent struggle of partyes and faction.

G. Clinton.

His Grace the Duke of Newcastle.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 2.]

My Lords

I have frequently of late acquainted Your Lordships with several particulars relating to the rise and Artifices used by the heads of a faction within my Government, in order to establish an Independent Government or power among themselves, by the Assembly's publishing most infamous and false papers agt me with no other view than to alienate the Minds of His Majesty's subjects of this Colony.

Mr Delancey Chief Justice of this Province (who is at the head of this faction) has been for a long time forming a scheme to make himself popular, by drawing an entire Dependance upon himself to almost the subversion of His Majesty's Authority, and by his endeavours to throw the executive power of Government into the hands of Assembly in order to distress the Government in all cases where mony is wanted, however necessary for His Majesties service & the Welfare of the Province, and I am now convinced that this Gentleman will stick at nothing to accomplish his points in view, and to establish his Power, upon Republican Principles.

When I perceived the Factions Power growing to a head, I suspended Mr Horsmanden, one of the Council, from all his Employments, as one of the principal Actors in the Faction, and for the like and other reasons (which I have not time to transmit to Your Lordships) I suspended Mr Stephen Bayard and I am concerned to observe to Your Lordships that I shall be obliged also to suspend Mr Delancey in hopes to prevent this Faction coming to any greater height.

I shall now only in brief observe to Your Lordships to what lengths this Faction has brought the people into a disobedience and neglect of His Majesty's authority.

When I received orders lately for discharging the Troops rais'd upon the Expedition against Canada, I was apprehensive the Frontiers would be too much exposed to the Incursions of the enemy, when these troops were disbanded, therefore I recommended to the Assembly to retain 800 men upon the pay of the Province, by allowing the Officers that had rais'd these troops King's pay, as the only probable means of securing the men for that service, which they refused to do, whereupon I issued my orders to the Colonels of Militia of the respective Countys to hold their Regts in readiness to march at an hour's warning upon any emergency or sudden attempt of the enemy. Accordingly this Day the Militia Regt of this City with the Independent Companys were drawn out, and when in the Field my orders were read to them by their respective Captains, and every Man unanimously refused to obey my orders from the Crown unless an Act of Assembly was first passed in this Province for that purpose, whereby I conclude the Militia of the other Countys will take Example. This evidently shews what Allegiance the People of this Province pay to the Crown, and how well my opinion of their levelling and republican Principles has been grounded from time to time.

Under all these Circumstances I am determined to adhere strictly to my Commission and Instructions and at all events to the utmost of my power will maintain His Majesty's Authority for the preservation of his Colony. In the mean time I hope Your Lordships will give me Your Countenance & Concurrence in lopping the Branches of a Treee that support such horrid Principles in opposition to the Constitution of England, to which the People here are subject.

Since I had the honour to write to Your Lordships the 27th Septr last, the Assembly has publickly avowed the Neutrality the People here wanted to maintain with the Enemy in Canada, which I am astonished at, as I conceive that holding a Correspondence with the enemy in time of War is high Treason. I have the greatest reason to believe that Mr De Lancey is deeply concerned in this Villainous Declaration by several Expressions dropt from him in his Conversation; and as he still supports the Faction in opposition to all Measures for His Majesty's service, I have complained of him to the Ministry as a person not proper to be continued Chief Justice of this Province, or to hold any Place or preferment under the Crown, which I hope will have due weight with them, and as I am resolv'd to suspend him from His Majesty's Council, I hope this Representation of his Conduct will have due weight with Your Lordships for my doing so, as it may be a great means to recover the King's Powers in this

Province, when this factious Gentleman is remov'd: and a step taken to undeceive an ignorant Multitude, who are taught by him to beleive that their Representatives oppose a Governour's Measures, out of regard of saving their mony, when his real motives are his own Interests. I am with very great Respect, My Lords,

Your Lordships most humble
& most obedient Servant
G. CLINTON.

New York
10. November 1747.

The R^t Hon^ble The Lords Com^rs for Trade & Plantations.

Governor Clinton to the Lords of Trade.

[New York Papers, Bundle Gg., No. 218.]

New York 30 Nov^r 1747.

My Lords,

The many obstructions and difficultys I have met with by a Faction set up against His Maj^tys Prerogative in the course of my Administration (of which I have frequently of late informed Your Lord^pps) has made it absolutely necessary for me to dissolve the General Assembly of this Province, for the reasons set forth in my speech, which I have inclosed, and I beg leave to refer Your Lord^pps thereto, and when Your Lord^pps have considered the same, I hope You will be of opinion, that I have had very weighty and just causes for doing so.

The Assemblys of this Province have long since taken hold of every necessity or want the Govern^t is in of their Assistance, to incroach on the Kings prerogative, and to assume to themselves new power. The yielding of the Gov^rs from time to time on the urgency of affairs, has only confirmed their appetite for more power, so that now in every Mony Bill they pass, they assume to themselves the nomination and appointment to Offices and the sole Rewarding to all services. By this, they have in their power to oblige and gratifie such of their Friends that disavow the Govern^t and are fond of Anarchy, and thereby the Crown is stripped of all power to support itself against any attempts that are made to weaken Govern^t, so that now the power of Assemblys are come to an exhorbitant height. I have from time to time complained of this evil, since I had the honour to be intrusted with the care of this Province. Nothing but expedients have been hitherto tried to take off a present inconveniency, and which only have produced greater inconveniences.

I can think of no method to remedy these attempts of the Assembly on the Administration, but either the interposition of Parliament, or his Majesty's disallowing all or a great number of the Money Bills, by which paper Bills are made current money, because it is in these Bills, and in the application of the money that they incroach on the Prerogative and reward their Friends, But if instructions were given to assent to making such quantity of those Bills current again as shall be found necessary, under such conditions as his Maj^ty shall think proper, in order to have a sufficient Fund always for the support of his Govern^t during the currency of those Bills, it might in some measure check this growing power. This I conceive deserves Your Lord^pps consideration.

The great desire the People of this Province has had to Trade and correspond with the Enemy in Canada in time of War, and for that end to become neutrals and spectators of the Barbarity committed in the neighbouring Colonys, has established a very powerful Faction against me for endeavouring to suppress such practices, and which I was commanded by His Majᵗʸ to do, by engaging the Six Nations of Indians in the War.

Some of the Council are deeply concerned in this Faction, and I beg leave to point them out to Your Lordᵖᵖˢ. vizᵗ Mʳ Delancey Chief Justice of the Province, at the head; Daniel Horsmanden (suspended) their secretary and waiter. Joseph Murray their Councillor and Solicitor, Stephen Bayard (suspended) their common Cryer, Philip Livingston formerly a Trader with the Enemy at Albany, and although he is Secretary for Indian Affairs, he has abandoned his Country, neglects his Office and supports the neutrality. Therefore I pray Your Lordᵖᵖˢ to move His Majᵗʸ to suspend him from that and all other employments in this Province as he is a dangerous person to be employed under Governᵗ, and indeed I have the like reasons to complain of the rest of the Council herein mentioned.

I must observe once more to Your Lordᵖᵖˢ that popular Faction and power are become so very prevalent, not only in this, but in all the Northern Colonys, that unless some extraordinary assistance be given to His Majᵗʸˢ Governours, I am humbly of opinion it will not be in their power to support His Majesty's authority, as one takes example from another.

Great pains are taken in my Governᵗ to disavow the King's authority, and it has been said by Mʳ Oliver Delancey, the Chief Justices Brother whom he supports in all his arrogance, that the Faction would hang three or four people and sett up a Governᵗ of their own—and upon the dissolution of the Assembly he asked his Brother the Chief Justice, whether affairs in the Province could not be carried on without an Assembly, to which he answered, yes, if the people could be perswaded into it, but they won't care to part with their money at that rate.

I have inclosed the Titles of such Mony Bills as I have been under a necessity to give my assent to since I came here together with some extracts of the Minutes of Council in the Legislative capacity, wherein are contained some reason's entered by Mʳ Colden for my not assenting to some Bills which the Council and Assembly had passed. But the exigency of affairs and the immediate safety of the province which became greatly exposed to the Enemy (by the Troops raised upon the Expedition being discharged without being wholly paid off) induced me to assent to this last provision and Money Bill, which I hope will plead my excuse with his Majesty for doing it.

I am with very great respect—My Lords ettc

G. Clinton

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) X., 511.]

My Lord.

The many obstructions & difficultys I have mett with by a faction sett up against his Majesty's prerogative in the course of my Administration (of which I have frequently of late

informed your Grace) has made it absolutely necessary for me to dissolve the Generall Assembly of this Province, for the reasons sett forth in my speech, which I've inclosed, and I beg leave to refer your Grace thereto, and when your Grace have considered the same, I hope you'l be of opinion that I have had very weighty and just causes for doing so.

The great desire the People of this Province has had to trade and corespond with the enemy in Canada in time of war, and for that end become neutrals and spectators of the barbarity committed in the neighbouring Provinces, has established a very powerfull faction against me for endeavouring to suppress such practices, and which I was commanded by His Majesty to do, by engaging the Six Nations of Indians in the War. Some of the Council are deeply concerned in this faction, and I beg leave to point them out to your Grace. Mr De Lancy Chief Justice of the Province, at the head, Danl Horsmanden (supended) their Secretary, and Writer, Joseph Murry their Councellor and Sollicitor, Stephen Bayard (suspended) their Common Cryer, Phillip Livingston formerly a Trader with the enemy at Albany, and altho' he is Secretary for Indian Affairs he has abandoned the Country, neglects his office, and supports the neutrality. I beg your Grace to move His Majesty to suspend him from that and all other employments in this Province as he is a dangerous person to be employ'd under Government; and indeed I have like reason to complain of the rest of the Council herein mentioned.

Great pains are taken in my government to disavow the King's authority, and it has been said by Mr Oliver De Lancy (the Chief Justice's brother) whom he supports in all his arrogance, that the faction wou'd hang three or four people and set up a government of their own, and upon the dissolution of the Assembly he ask'd his brother the Chief Justice, whether affairs in the Province cou'd not be carried on without an Assembly; to which the Chief Justice answered "Yes, if the people cou'd be persuaded into it, but they won't care to part "with their money at that rate."

The exigency of affairs and the immediate safety of this Province which became greatly exposed to the enemy by the troops raised on the expedition being discharged without being wholly paid off, induced me to assent to this last provision and money Bill; which I hope will plead my excuse with His Majesty for doing it.

I am with the greatest respect, My Lord,
Your Graces most obedient
and most humble Servant
G. Clinton.

New York
30 Novr 1747.

His Grace the Duke of Newcastle.

Governor Clinton to the Duke of Newcastle.

[New-York (S. P. O.) X., 518.]

(Copy)

Fort George in New York Janry 30th 174⅞.

My Lord.

Since I had the honor of writing to Your Grace the troops raised upon the Expedition for the reduction of Canada were discharged the 31st Octr last pursuant to Governour Shirley and

Governour Knowles's orders for that purpose, without their making or giving any other directions for their pay, than recommending to the Assemblys of the respective Provinces to provide for it or drawing on the Crown untill a fund could be raised in Parliament to reimburse that expence. The first method I communicated in the strongest manner I was capable, to the Assembly of this Province; but they absolutely refused to give the Crown any money or credit for this service, & the merchants refused taking my bills without some prefixed time for payment of them.

As many of these troops were assembled on the frontiers of this Province and had been upon actual & severe duty from the time they rendevouzed at Albany till they were discharged (with which they could not be made acquainted till the 19th Novr last, the discharge not coming to my hands till 5th of that month) The Field officers and Captains of these Companies have set forth a memorial to me on this occasion which I herewith inclose to your Grace, whereby your Grace will observe what reasons I have had to draw on the Crown for the pay of these levies and other services incurred on this expedition, & which I shall still be under a necessity of doing to perfect & fullfill His Majesty's promises on that head, agreeable to your Graces letter of the 9th April 1746. and my proclamation thereon: and as these gentlemen were without remedy (by the nature of the discharge) to satisfy their men in their returns to their respective habitations, I have allowed them pay to 24th Novbr for that purpose & for other extraordinary expences they have been at during their continuance upon service.

The confidence the Officers had of receiving His Majesty's commissions when this expedition was first make known, encouraged many gentlemen to leave their employments to enter into His Majesty's service, whereby they have thrown themseves out of all business & have no other recourse left for their support than a dependance upon His Majestys promise. For which end several of the Captains have determined to go for England in hopes to be provided for by His Majesty in his forces at home or abroad. And as I am particularly acquainted with the hardships they must suffer if they are not provided for, I take the liberty of recommending them & all others that have any certificates for their good behaviour to your Graces favour, & I persuade myself that when their case is fully represented to His Majesty by your Grace, he will be graciously pleased to consider their services and disappointments accordingly.

I was in hopes to have been able to transmit to your Grace by this opportunity an account of the exact expence the Crown has been at for the several services incurred for the use of the Six Nations of Indians, their allies, and the troops raised & assembled within my government; but as the troops were posted in different parts of the Frontiers of the Province at a considerable distance from home & many Indians & Christians were out in partys, it has not yet been in my power to collect the accounts and demands made upon the Crown so soon as I could wish, in order to liquidate the same; however your Grace may be assured that no time shall be lost in collecting & stating the same for Your Graces information. In the mean time I most earnestly intreat your Grace that all the bills I have drawn since my Secretary was in England, & am still obliged to draw, towards the expence of the Indians & discharge of these troops may be duly paid, that I may not suffer by any protest or nonpayment of them, as nothing but meer necessity, the preservation of His Majesty's Province & the good of his service, could have induced me to imbark my self in such a scene of trouble & fatigue.

As these troops raised in this Province were discharged without pay or provision for some time by the Assembly's stopping the provisions from them (unknown to me) as soon as they heard they were to be disbanded I was under a necessity of using the utmost precaution by

my directions to Colonel Roberts the Commanding Officer at Albany (who acted quite prudently on the occasion) to preserve the men in temper; otherwise many terrible consequences would have ensued to the inhabitants of the Provinces, by the disbanded men, besides the great confusion it must have thrown the Indians into, whereby they might have been tempted to revolt to the French, as finding themselves no longer protected by us. This I foresaw and consequently took care to prevent, & I am well pleased that my intentions had the desired effect.

As Coll. Roberts has all along endeavoured to promote his Majesty's service while upon command, I beg once more to recommend his services to your Grace, either by giving him a rank in the service adequate to that of Lieutenant Colonel, which he held upon this Expedition or such other preferment or employment as to Your Grace shall seem meet.

I must in justice to Mayor Rutherford beg leave to recommend his service also, and likewise Coll. Johnson's great services among the Indians, who remains still with them at great expence, fatigue & trouble, & runs a great risque of his life & fortune; but was he not to continue amongst them I have reason to dread the consequences of the sudden discharge of these troops. I am with very great respect, My Lord,

Your Graces most obedient
humble servant
G. Clinton.

To his Grace the Duke of Newcastle

Governor Clinton to the Duke of Newcastle.

[New-York, (S. P. O.,) X., 525.]

My Lord Duke.

I am honoured with your Grace's letter of the 27th Octobr last, with my leave of absence inclosed, for which favour I am infinitely obliged to your Grace. At the same time your Grace has signified to me His Majesty's pleasure in appointing Chief Justice de Lancey Leiut Governor of the Province with a commission to be delivered to him at my leaving my Government. By this appointment I conceive Your Grace had not received my letters transmitted in Scarborough, nor the dispatches from Govr Shirley and Mr Knowles, otherwise I perswade my self it cou'd not have been done.

Mr De Lancy has strongly opposed me in all the measures I undertook for his Majesty's service in the late expedition against Canada for the sake of an abominable neutrallity the people of this Province wanted to enter into with the Six Nations of Indians and the French in Canada, which I have fully explained to your Grace in my former letters, and by his means and influence I have mett with the most cruell undeserved treatment that possibly cou'd be given, both by Council & Assembly, excepting Mr Colden, Mr Kenedy and Mr Rutherford of the Council who have supported me as much as in their power for the interest and service of his Majesty against a violent faction in which Mr De Lancy has been the principal actor and continues so to be.

Upon his receiving the news of his appointment most of the inhabitants of this City seemed greatly moved with dislike to it, as thinking that he and his family had ingrossed already too much power, and most people now plainly discover that it was only for power he was aiming at, by his ungratefull behaviour to me; and as he had some assurances from Sir Peter Warren his brother in law, for some time past, of this preferment, he has made it his study to make me uneasy in my Administration in order to quit my government, as he can receave no benefitt by being Leiu^{t} Governour during my stay here, which he industriously rumoured abroad among his friends, with assurances that his interest wou'd support any measures or steps he undertook in opposition to me.

Nothing could have been so unhappy for the Province and myself as the unexpected promotion, which became known when the elections were coming on for a new Assembly, wherein I had carried the choice of severall members for the Countyes that were well attached to His Majesty's interest and welfare of the Province, and shou'd have succeeded with many others, but that messengers were immediately dispatched through out the Province with the news of M^{r} De Lancy's being made Lieu^{t} Governour, which damp'd the inclinations of all my freinds, as dreading the exorbitant power & resentment of this man.

I find by Sir Peter Warren's letter to me that he has concerned himself much in the recommendation of M^{r} De Lancy to your Grace's favour, notwithstanding he knows him to be a man leveller in principles with such other qualityes as I have y^{e} honour to represent to Your Grace. In this I think Sir Peter has been highly partiall, because he is his brother in law, and has gone too great lengths, consistant with prudence to interfere himself with any appointments in my government without my consent or approbation.

As M^{r} Shirly and M^{r} Knowles have taken some pains to represent to your Grace the ill treatment I have received from M^{r} De Lancy and his party and the shamefull cause thereof, I persuade my self when their letters and mine come to hand your Grace will think I have the greatest reason to hope for his removal again, or at least to receive your Grace's orders not to deliver his commission upon my leaving the Government; and altho' it is very disagreable to stay much longer here, yet rather than M^{r} De Lancy shou'd be gratified any how, I am willing to stay till I have the honour of your Grace's commands on this head, unless a ship is ordered out to bring me home, as I expect, and in that case I am in hopes I may be justifyed to bring his commission back, the people being thoroughly sensible that their rights and priviledges must be greatly affected under his insatiable thirst of power which he shows too much as Chief Justice, and I am certain His Majesty's interest and service in this Province will greatly suffer thereby if he is allowed to govern.

Give me leave to beg it as a favour of your Grace that no other alterations or promotions are made in my government without my knowledge, that the two Councillors continue suspended, that I may be allowed to stop the Chief Justice's Commission, and M^{r} Colden left President in my absence for his faithfull services, and that Sir Peter Warren may not be allowed to apply for any more places in this Province during my administration, in which he has taken too many freedoms to my disadvantage here, and I may say without president.

I hope for forgiveness from Your Grace for taking up so much of your time, but as I find by the discourse I have had with him that his whole design & drift is to restore all those of his faction without any condition for those that has distinguished themselves in my favour, but to

be left to his mercy when I go, therefore in justice to those gentlemen I hope plead my excuse for the length of this. I am with the greatest of respect, my Lord Duke,

Your Graces most humble

Fort George's at New York and most obedient Servant
13th Febry. 1747. G. Clinton.

His Grace the Duke of Newcastle.

(Indorsed) "Recd 2. of May 1748."

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.,) X., 529.]

My Lord.

I have received the honour of Your Graces letter of the 27th October, acknowleding the rect of my letters to the 23d July last. It gives me the highest satisfaction that His Majesty has been pleased to approve of my care and attention to His service, to which I shall ever keep attached at all events, as well from inclination as duty, notwithstanding the opposition I meet with from His Majesty's subjects in this Province.

I have acquainted your Grace in what manner the troops raised for an Expedition against Canada under my command, were disbanded, which I hope will be approved of, as I took the most prudent steps to preserve the Province from the insults of a body of men, enraged with disappointments, and am now drawing bills on the Paymaster to satisfie their resentments, which I pray your Grace may be punctually paid; and as Mr Shirley has given Certificates to the Officers in his government for their pay, I am doing the like to the Officers assembled here, as some satisfaction to them for present, till I can transmit my account properly liquidated for the whole, which I am now labouring with all the dispatch in my power; but [it] is not to be express'd what time trouble and expence attends the same, as the troops under my command were all along upon actual service and many of them, in conjunction with the Indians, had often skirmishes with the enemy in different parts on the frontiers of this Province.

I am sensible the preservation of the Indians on this occasion is of the utmost importance to His Majesty's service, and to the security of all his colonies in North America; and as I have omitted nothing that can conduce thereto, I shall observe your Graces directions on that head. At the same time I am obliged to tell Your Grace that this service has and will occasion a very great expence to the Crown, as the French in Canada use all artifices and bribes to bring them over to their interest, in order to annoy our settlements.

When the presents ordered for the Indians arrive, I shall take care to distribute them in such manner as will tend most to His Majesty's service, and upon all occasions Your Grace may be assured that I will use my utmost endeavours with the Assembly of this Province to enable me to promote His Majesty's service, and to carry on a scheme at the joint expence of this Province, Massachusetts Bay, and Connecticut to annoy the enemy in their own settlements,

with the assistance of the Indians; for which end I made the Assembly the inclosed Speech at the opening of their Session.

I am with the greatest of respect
My Lord,
Your Grace's most obedient
humble Servant
G. Clinton.

New York
24th Febr 1747

P. S. I observe by your Grace's letter to Govr Shirley, that the security of the Indians is also strongly recommended to him, and as I had appointed Coll. Johnson, Colll of them, when the Expedition was going forward, I propose to continue him over them in that Capacity, as none upon the Continent can influence them to continue stedfast to their engagements, so much as this Gentleman, and I am sure your Grace will have Mr Shirley's sanction for my doing so.

G. Clinton.

His Grace the Duke of Newcastle &c &c &c

Governour Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 6.]

My Lords

Since I did myself the honour of writing to Your Lordships, I have been closely employed (in conjunction with Governour Shirley) to promote a service, which His Majesty has been pleased to recommend to us, by Undertaking some expedition agt the French Forts in Canada, as the most effectual means of retaining the six nations of Indians & their Allies in His Majesties Interest.

For this purpose I called the General Assembly of this Province together, and made them the inclosed Speech, and since that have acquainted them that if they would join with the neighbouring Colonies and enter upon any Enterprize of this kind, they should be eased of a large Article of the Expence vizt that of protecting the Indians and engaging them, against the common enemy, together with assurances, that I would, in conjunction with Govr Shirley maintain any Forts that might be taken from the enemy at the Expence of the Crown, till His Majesties pleasure was known, which I conceive were extraordinary Inducements for this Assembly to shew their Zeal for His Majesties service, as the visible Interest of this & the neighbouring Colonies depends much upon the success of such undertakings. Notwithstanding of which they would only declare themselves in general Terms, that this Colonie ought to joyn with the other Colonys on the continent for the mutual Defence and Annoyance of the Enemy, without regarding what they had before hand agreed upon with the Province of Massachusetts Bay & Connecticut, to carry on an Enterprize against the French Fort at Crown Point at the joint Expence of the three Colonies, before they expected or heard of any Encouragemt or Bounty to be given to the Indians by His Majesty, to engage them to join their strength for the Reduction of that Fortress, or to go upon any other Enterprize agt the

French; which is a plain Demonstration to me, That this Province does not want to annoy the French in Canada, but rather to preserve the neutrality, which Mr Shirley and I have so frequently complained of in publick here, as well as my Representations thereon to Your Lordships in my former letters, as conceiving the same to be of a most mischievous consequence to all the Colonys, and my opposing so shamefull a Scheme has occasioned to me so much trouble in my Government by a Faction that were favourites thereof, and had not Mr Colden greatly assisted me in suppressing their Designs, many Barbarities must have been committed on the Inhabitants of the Neighbouring Governments before now; and I have great reason to beleive that the Chief Justice of this Province (by his Influence as a Leveller) obstructs all Measures that can be offered for His Majesty's Service, however willing Mr Shirley and I may be to carry them on; But that Your Lordships may be the better acquainted with my endeavours to forward this service I have Inclosed the Votes & Proceedings of this Assembly since the last Dissolution to the time of their adjournment, together with Extracts of some Letters from Govr Shirley & Colonel Johnson touching the Indians, to shew Your Lordships what trouble the care of those Tribes occasion; and finding them uneasy at the intended Expedition against Canada being laid aside, and hearing they have had very warm Invitations from the Govr of Canada & his priests to go thither this Spring, or as soon as possible, I have, by the advice of Govr Shirley & His Majesty's Council of this Province, sent Colonel Johnson with a considerable Guard into the Indian Country to stop their Journey, with orders to make them Presents, and to compleat some Forts begun for the protection of their Wives and children, & at the same time engaged them with a suitable number of Christians in Acts of Hostility against the Enemy, with Instructions also to Col. Johnson to assure them that very considerable Presents shall be given to them this summer from His Majesty as an instance of his love and care for them, wch His Majesty has been pleased to send over to my care for that purpose.

I am still under the necessity of informing Your Lordships that the Assembly of this Province continue to encroach upon the powers of the Crown in the appointment of all their Officers, and have lately (among others) named one Mr Charles Agent for the Province, without my knowledge, privity or consent, otherwise than by telling me, they had made provision for this Gentleman, being recommended by Sir Peter Warren; and as they inserted his Salary in the Bill which gives my support I was obliged either to yield to their method of appointing an Agent, or go without my own Appointments. I find that this Gentleman is to act for the Assembly independent of the Governor & Council, which to me is a very extraordinary proceeding: Therefore I humbly move Your Lordships, that you'l be pleased not to suffer Mr Charles as Agent of this Colony to prefer any Memorial, Representation or Instructions from the Speaker of this Assembly, or from a Committee of said Assembly without my concurrence & assent thereto signified to Your Lordships by Letter concerning the same. I am with very great respect, My Lords,

Your Lordships most humble
& most obedient Servant
G. Clinton.

New York
22d April 1748

Governor Shirley to Governor Clinton.

[New-York Papers, Hh., No. 7.]

Sir.

I am favoured with Your Excell$^{y's}$ Letter of the 17th Febru^{y} by the Returns of Burbien & upon consideration of that part of the inclos'd Extract of the Duke of Newcastle's Letter, which concerns the preserving the Friendship of the Six Nations & keeping 'em inseperably attached to His Majesty's Interest, which His Majesty has been pleased to lay his commands upon me, to join with your Excell^{y} in taking care of all his Northern Colonies; y^{e} present conjuncture of Affairs with respect to these Nations seems to me so critical & the danger of their being gain'd over to the French, without the most speedy and prudent measures taken to prevent it, so great, that I think it my duty to send this by Express, to acquaint Your Excell^{y} that I am ready to join with you in whatsoever shall appear to be necessary or conducive to the execution of His Majesty's Commands & as not only a meeting between us may be needfull for our concerting proper measures in this Affair, but likewise an Interview with the Indians, I shall be glad of both if Your Excell^{y} approves of it, at such time and place as may be most suitable & convenient for such a Congress.

As your Excell^{y} has had a long Experience of those Tribes, (the management of which has been committed to you by His Majesty) I must rely much on your judgement in this matter; However I would in the mean time suggest that what may appear to be of immediate necessity to be done in order to secure and strengthen their Friendship or employ them against the Enemy, (& Especially the Protection & Defence of their old men, women & children while their Young Men are fighting) ought not to be delayed.

I hope Your Excell$^{y's}$ Speech will influence Your Assembly to agree to the Alterations made by the Assembly of this Province in the Commissioners Report, for otherwise notwithstanding you should join with me in maintaining a Garrison at Crown Point (in case the Colonies should refuse to do it) at His Majesty's Expence, Yet it may obstruct the service very much by hindering the Assembly here from joining in the Expedition, which in my Apprehension is of the utmost consequence to be undertaken forthwith for securing y^{e} Indians in his Majesty's Interest.

W^{m} Shirley.

March 2^{d} 174$\frac{7}{8}$

Governor Shirley to Governor Clinton.

[New-York Papers, Hh., No. 7.]

Sir.

I am favoured with Your Excell^{ys} Packet by the Post, I agree in general with Your Excellency in every part of Your Letter of the 29th Feb^{y} and I hope the three Governments at least concern'd in the late Congress will agree upon an Expedition against Crown Point at all events, & that we shall succeed in it which makes the consideration of building a strong Fort at the carrying place unnecessary at present,

I think it very proper to press upon the Governments of New Jersey & Pensilvania to contribute their proportion of Men & Money towards the Enterprize against Crown Point, & will join with Your Excellʸ in doing it as soon as it is certainly agreed by the three principal Governments in this Affair, that an Enterprize shall be carry'd on before which I am afrayd it would be done to a disadvantage; But I cannot see then how they can decently stand out, when His Majesty's declared pleasure in yᵉ case shall be urged upon 'em; and I think New York may on that account be the most convenient place for a congress of the Commissioners from all the Governments propos'd to be compris'd in the agreement, & shall accordingly recommend it as such to the Assembly; And should the other Goverments not accede to the Agreement between New York, the Massachusetts & Connecticut, I am of Opinion to proceed upon the Enterprize without 'em, as those three Colonies have doubless sufficient strength to carry it on effectually.

I am entirely of opinion that the Forts should be finished for the protection of yᵉ Indians as proposed by Your Excellʸ & that the engaging Col. Johnson to go among yᵉ six nations with an Interpreter, to prevent their going to Canada in the Spring and to prepare them for their joining us in the Enterprize against Crown Point, and his making 'em the presents propos'd by Your Excellʸ and compleating the Forts begun are measures extreamly well concerted & indeed necessary for retaining the Indians in His Majesty's Interrest, & I am of opinion that 'till the the Enterprize against Crown Point is ripe for Execution, the Indians with a suitable number of Christians joined with 'em should be kept constantly employ'd in Acts of Hostility against the Enemy, for which the Indians should have a proper allowance by way of pay or present, or in some other method, of which Your Excellʸ is the best Judge.

March 22ᵈ $174\frac{7}{8}$

Wᵐ Shirley.

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 8.]

(Extract of Colˡ Johnson's Letter, dated 16ᵗʰ March 1747)

May it Please Your Excellʸ

As it is my duty to acquaint Your Excellʸ with what passes here, in relation to the service and taking this to be an Affair of great Moment, thought proper to send you the full account pʳ Express wᶜʰ is this; The Outscouts who went to scour the woods and make further Discoveries after yᵉ first alarm, were in two parties, one consisting of three Christians and three Indians, the other of twenty, about two of the Clock in the morning the former were Surpriz'd by a party of about 30 of the enemy, mostly Coghnawages, upon which one of the Mohawks called Gingego (the Chief Warriour of all the Six Nations) being awake hear'd the noise of them approaching with Snow Shoes, awaken'd the rest immediately, desiring them to stand to their arms, and fight like Men, but they perceiving the Enemy to be too powerfull took to Flight, whereupon the Coghnawages call'd out to each other in their language, pursue them, pursue them, we are men, we will have them all; Gingego & another Mohawk who had got behind a

tree, in order to Fight, and hearing them so bold, could not forbear any longer, answering in this Manner, I am Gingego the Mohawk, a Man who will not fly for you, or Mankind, and gave then 3 Indian Yelps, or shouts, and fired upon them, they immediately returned the fire, shott him thro' the thigh, and the other Indian thro' the body, Cutt their heads off, flea'd them instantly, cutt of their noses, ears and lips, stuck their heads on a stake to the fire, so that when found they were half roasted; After all that mangled their bodys most frightfully, and then sett them on their shoulders in the snow, sticking with their Heels up, they kill'd & scalped a Young Dutchman, who liv'd by my house, and took another Prisoner, so that out of the six but two escap'd their barbarity, one of them a Christian, the other a brisk Young Mohawk, who lay awhile conceal'd behind a Tree, & heard Gingego speak them words before he dropt, this day a party of fifty Indians and as many Christians return'd with the bodies and heads, and are here, now with them at my house, in their way to their castle, this enrages the Indians to such a degree that I assure Your Excell^{y} I have a hard time of it, telling me it is all my Fault, by bringing them so farr into the Warr, and now can have no help from us, when they are murther'd in our cause, and what is worse they could not get a Man to go along with them when they heard the News (which is very discouraging) untill at length they went to Schenectady, there got a few men, in two days after the Affair happen'd to go with them; Col^{l} Schuyler, altho' he had orders from Your Excell^{y} to have the Militia in readiness, never sent a line, nor the least orders to any Officer in all these parts, nor even would order one of them, who by allotment were to be ready for such service, Now I hope as it is the earnest request of all the Indians to have Men allow'd and always in readiness to march out with them, on any sudden emergency, that your Excell^{y} will fall immediately on some way, to order a number of men to be ready for that service (otherwise give me leave to assure Your Excell^{y} that altho' they be very hearty in the cause at present, if that is now refus'd them they will be so dejected and Cow'd that we shall not by any means (in a little time) be able to get one Indian to assist us) for their Cry is that it seems we want them Destroy'd, by sending them out with such small parties, when we know the French never go so weak, now on the other hand in my opinion there never could be a better time to engage them, and all their allies most steadfastly in the British Interest, than at this present juncture, provided I have it in my power to assist them with such a number of brisk Men as may be sufficient to engage and overpower such parties of the enemy as constantly rove this way, which seldom exceeds 3 or 4 hundred Men, & then Arms, Ammunition &c to fitt them out with constantly, I should be glad to know how it is with relation to those Men detached by Allotment, whether they are to march whenever required without pay or not. Colonel Schuyler tells all the Officers they are not to move without pay, if that is y^{e} case they are of no service, as there is no provision made for them, I hope Your Excell^{y} will pardon my dwelling so long on this subject, but as I plainly perceive the great necessity of what I mention, could not avoid acquainting Your Excell^{y} thereof, and hope it may be to some purpose, otherwise there will be no possibility of continuing in those Parts for any of the Inhabitants, for this Cruel and unpresidented beginning portends a bloody Spring and Summer; as this Affair takes up all my attention at present, together with settling the Companies regularly I have not time to write Your Excell^{y} so full on other subjects as I would or ought to do, but shall as soon as possible. If I must go among the Nations, which is really requisite, and the only best time could ever be, on acco^{t} of this Barbarous Murder. I must tell Your Excell^{y} that it will be very dangerous, without a guard, for if the French at Cadaraghqua hear of it, which

doubtless they will, they then will use all their endeavours to take or intercept me, wherefore I think it ought seriously to be considered, and have provision made for such an undertaking; I find since I have been from home there has been several Belts of Wampum sent to the Six Nations by a Priest at Codaroghgy earnestly desiring them to go to Canada as soon as possible, and sent a very kind Invitation to Hendrick, which must if possible be stopped or else all other Endeavours are vain.

Wm Johnson

Governor Clinton to the Duke of Newcastle.

[New-York. (S. P. O.) X., 535.]

My Lord.

Since I had the honour of writing to your Grace the 24th February last (a copy of wch I have inclosed) I have taken unwearied pains in conjunction with Govr Shirley to promote the service His Majesty was pleased to recommend to us, by undertaking some expedition agst the French Forts in Canada as the most effectual means to retain the Six Nations of Indians and their allies, in His Majesty's interest.

On this occasion I acquinted the General Assembly of this Province, that they if they would join with the neighbouring Colonies and enter upon any enterprize of this kind, they shou'd be eased of a large article of the expence vizt that of protecting the Indians and engaging them agst the common enemy, together with assurances that I woud, in conjunction with Mr Shirley maintain any Forts that might be taken from the enemy at the expence of the Crown, til His Majesty's pleasure was known, which I conceive were extraordinary inducements for this General Assembly to shew their zeal for His Majesty's service, as the visible interest of this & the neighbouring Colonies, depend much upon the success of such undertakings; nôtwithstanding of wch they wou'd only declare themselves in general terms, that this Colony ought to join with the other Colonies on the Continent for their mutual defence & annoyance of the enemy, without regarding what they had before hand agreed upon with the Province of Massachusets Bay & Connecticut to carry on an enterprize agt the French at Crown Point, at the joint expence of the three Colonys, before they had expected or heard of any encouragement or bounty to be given to the Indians by His Majesty to join their strength for the reduction of that Fortress, or to go upon any other enterprize agt the French; which is a plain demonstration to me that this Province does not want to annoy the French in Canada, but rather to preserve the neutrality which Mr Shirley and I have so frequently in publick complained of here, as well as my representations thereon to Your Grace in my former letters, as conceiving the same to be of a most mischievous consequence to all the Colonies; and my opposing so shamefull a scheme has occasioned me so much trouble in my government by a faction who were favourites thereof; and had not Mr Colden greatly assisted me in suppressing their designs, many barbarities must have been committed on the inhabitants of the neighbouring governments before now; and I have great reason to believe that the Chief Justice of this Province (by his influence as a Leveller) obstructs all measures that can be offered for His Majesty's service, however willing Mr Shirley and I are to carry them on.

As I found of late the Six Nations of Indians uneasy at the intended Expedition ag^{t} Canada being laid aside and likewise their having very warm invitations from the Gov^{r} of Canada & his priests to go thither as soon as possible, I have, by the advice of Gov^{r} Shirley & His Majestys Council of this Province, sent Colonel Johnson with a considerable guard into the Indian country to stop their journey, with orders to make them presents, and to compleat their Forts begun for the protection of their wives & children: at the same time to engage them with a suitable number of Christians in acts of hostility ag^{t} the enemy, with instructions also to Col. Johnson to assure them that very considerable presents shall be given to them this summer from His Majesty, as an instance of his love & care for them.

I now take this opportunity of acknowledg^{g} the receipt of the Indian presents w^{ch} were ordered to be sent to me from Plymouth for the use of the Six Nations, many of which are damaged by the sea. The season of the year wou'd not admit of my sending any of these presents to Albany, when it was necessary for Colonel Johnson to go among the Indians the River being frozen, otherwise it wou'd have saved a good deal of expence to the Crown. However Your Grace may be assured that proper care shall be taken to distribute them this summer in such manner as shall be most for His Majesty's service, and that nothing in my power shall be omitted to retain the Indians stedfast to His Majesty's interest in all respects. But at the same time I beg leave to observe to Your Grace that the Assembly of this Province think themselves no longer obliged to take any care of the Indians for the protection of their Country, since your Graces letters of the 3rd & 27th October last, to M^{r} Shirley & me, were made known, which will occasion a very heavy charge to the Crown; but in this I shall act with all the prudence in my power, so as to avoid blame from any quarter.

I am still under a necessity of informing Your Grace that the Assembly of this Province continue incroaching upon the powers of the Crown in the appointment of all their officers, and have lately (among others) named one M^{r} Charles an Agent for the Province without my knowledge privity or consent, otherwise than by telling me they had made provision for this Gentleman as their Agent, being recommended by Sir Peter Warren, and as they inserted his salary in the Bill w^{ch} gives my support, I was obliged to yield to their method of appointing an Agent or go without my own appointment. I find that this Gentleman is to act for the Assembly independent of the Governour & Council; which is a very unprecedented proceeding. Therefore I humbly move Your Grace that you'l be pleased not to suffer M^{r} Charles as Agent of this Colony to prefer any Memorial representation or Instruction from the Speaker of this Assembly or from a Committee of said Assembly, without my concurrence & assent thereto signified to Your Grace and the Lords of Trade, concerning the same.

I have very nearly brought the sundry Accounts of the expedition to a conclusion so as to bring home the same properly adjusted, for which end I have been obliged to continue my drafts on the Paymaster General; but as I shall desist drawing for any more than what is contained in a list transmitted to the Paymaster General by this opportunity, til the whole expence is liquidated, I most earnestly intreat Your Grace that all my bills may be duly paid, as my drawing hitherto has been unavoidable.

I have inclosed copys of my speech & messages to the Assembly upon the affair of Crown Point, with extracts of some letters from M^{r} Shirley & Colonel Johnson touching the Indians

&c that your Grace may be the better satisfied of the reasons I have of continuing my care of those tribes at the expence of the Crown. I am with the highest respect, My Lord

Your Graces most humble

New York and most obedient Servant

22 April 1748 G. Clinton.

His Grace the Duke of Newcastle &c &c &c

Governor Clinton to Governor Shirley.

[New-York. (S. P. O.) X., 548.]

Extract of Governor Clinton's letter to Governor Shirley dated 17 Feb 1747.

Sir

I've now Your Excellency's favour of the 13th instant touching the State of the Indians, which I take much to heart, and shall do every thing in my power to preserve their fidelity in the British interrest, of which I have the strongest assurances from Col. Johnson (now with me) that they are well inclined provided they are supported, and notwithstanding so great an expence has incurr'd at the suit of the Crown, to engage them heartily in the war upon the occasion of the Expedition; yet I am determined to promote His Majesty's service with them, as far as lies in my power, rather than let them revolt to the French, who are extreamly industrious by their emissaries to withdraw them from their dependence; nevertheless I hope & expect this Province will contribute largely thereto, in ease of the Crown, when it is consider'd what benificial consequences must accrue to all the Colonies, and particular to this, by their being stedfast in our interrest.

The Assembly of this Province are now mett, and I hope with such tempers as will excite them to promote the common cause; and as I have the greatest inclination to bring the Agreement into execution, I have strongly recommended that matter to them, with their concurrence to your Alterations, in my speech, which I have inclosed; and I heartily wish the design may be carryed on with success.

I can put no confidence in any succour by sea, not knowing how the Fleet in the West Indias may be otherwise disposed, however willing Your Excell: and my self may be to join our, application to Mr Knowles to furnish what ships he can for this service.

In case the enterprize goes on and success is the event, I am confident that no difficulty will arise in maintaining the Fort for His Majesty's service, and should our Assembly boggle about the Alterations, I dont see the least reason why the service should be retarded on that account as your Commissioners observe your Excêll. won't scruple maintaining that Fort at the expence of the Crown, and I do assure your Excêll. you may depend upon me that I will forward all that can be expected from this Province, for such apparent benefits as must ensue to all the Colonies from the reduction of Crown Point, and if they agree to your alterations, your Excêll. and Mr Law shall have the earliest advice thereof in order for a meeting of the Commissioners.

(Indorsed) Geo: Clinton.

"In Govr Clinton's letter
"of the 22d April 1748."

Lords of Trade to Governor Clinton.

[New-York Entries, B. N. p. 8.]

To the Hon^ble George Clinton Esq^re Governor of New York.

Sir.

Since our letter to you dated the 15^th of May 1746, we have received several from you, (together with the papers therein referred to) relating to the unhappy differences, which arose in your Prov^ce at a juncture of time when its security required the strictest unanimity. We observe with concern that these animosities and divisions, which can never fail of producing dangerous consequences, have gone on increasing whereby much confusion and irregularity has been introduced into the publick proceedings; and this evil seems now to be arrived at such a heighth as will even endanger the peace and welfare of the Province, if some proper remedy be not in time applyed. To the end therefore that His Maj^ty might be acquainted with a matter of so much importance, we have from time to time transmitted your letters upon this subject to His Grace the Duke of Newcastle, to be laid before His Majesty; but we must observe to you, that the papers which we received with your letters, are imperfect; We therefore inclose a list of those papers that you may be able to judge, what are wanting to make them compleate, which we desire, you will send by the first opportunity.

M^r Horsmanden, having presented a Petition to His Maj^ty complaining of his suspension from his seat in Council and his other employments, we have in pursuance of an Order of the Lords of the Committee of Council, laid before them your reasons in justification of that measure, together with the proofs of the allegations contained in those reasons, and other papers relative thereto; and as you inform us, that M^r Bayard was suspended by you for the same reasons, that matter must waite a determination upon M^r Horsmanden's petition.

In the mean time, we can only recommend you such moderate and prudent measures as may if possible reconcile these differences, and induce the respective branches of the Legislature to concur in carrying on the publick service, for the mutual support of His Maj^ty's Govern^t and the good of the province.

We commend the measures, you have taken to promote His Maj^ty's service by annoying the enemy, in their settlements, and securing the frontiers of your Province, as well as by establishing with so much care a good correspondence with the Indians; tho' we disapprove the irregular manner in which the Acts for the emission of Bills of Credit and some other acts for publick services derogatory to the prerogative, have been passed; yet, we are satisfied with the reasons which induced you to give your assent to them at so critical a juncture.

The Assembly ought to have passed a particular Act for the appointment of an Agent for the province, with the concurrence and approbation of the Gov^r and Council as has been the practice of other Colonys, but you having given your assent to the Act, whereby M^r Charles is appointed Agent, we must look upon his appointment as good, as the repeal of that whole Act, which is the only method of setting it aside, would be attended with bad consequences.

In answer to our general heads of enquiry formerly sent you, we have received only a return made by the Collector of the Customs to such of them as relate to Trade, and an Account of the Number of the Inhabitants, Whites and Blacks, within your Province, we must therefore desire you to send us, as soon as may be, a full and particular answer to each head of enquiry;

and to transmit regularly every six months or oftener, an account of any variations which may happen, together with such observations thereupon as you shall think necessary, that we may be exactly informed from time to time of every circumstance relative to your Govern^{t}.

It is a great satisfaction to us, to acquaint you, that preliminaries of peace having been signed at Aix-la-Chapelle by all the powers engaged in the War, there is a reasonable ground to expect that a happy end will soon be put to it.

So we bid you heartily farewell, and are Your very loving friends and humble servants.

J. Pitt
J. Grenville.
Dupplin.

Whitehall
June 29th 1748.

Governor Clinton to the Duke of Bedford.

[New-York, (S. P. O.) X. 552.]

My Lord Duke.

His Majesty's Government in this Province is brought into such a state by the intreagues of a Faction that I have laid hold of the opportunity of M^{r} Shirley's being on the spot, to desire him to examine into it, that what I have formerly represented to his Grace the Duke of Newcastle and now represent to your Grace may have the greater weight with you.

The aspersions which have been thrown on my Administration and industriously propagated put me under a necessity of taking this unusual step to desire the Govern^{r} of a neighbouring Province impartially to represent the state of this.

After what M^{r} Shirley has so fully set forth it only remains with me to inform your Grace by what means this faction has been able thus to wrest His Majesty's authority out of the hands of his Govern^{r} and assume the whole administration to themselves. I shall only add to what M^{r} Shirley has observed upon incroachments of the Assembly, an instance of one in the Council with the Chief Justice at the head. Upon my going to meet the Indians at Albany in consequence of orders from His Majesty at a very critical conjuncture to engage them to join in the expedition against Canada, when that was first set on foot, and to confer with Commissioners from other governments upon that point, I required the Chief Justice, M^{r} Horsmanden and M^{r} Murry to attend me as Councillors at Albany, which they all refused upon different excuses, so that I was obliged to call upon M^{r} Colden in my way to Albany, to take him with me to make a Quorum of the Council there. And whilst I was at Albany with the Council, composed of such members as would attend me there, the Chief Justice with other members of the Council at New York, took upon themselves to meet and act there as a Council in my absence, and without my knowledge, after having refused to attend their duty in Council at Albany, and exercised acts of Government; as your Grace will see by the inclosed copies of their orders, and neglected even to acquaint me with their proceedings, both whilst I was at Albany and after my return to New York, till I called upon them in Council to do it, but took the liberty to demand of me first an account of my proceedings in Council at Albany. I must omit other instances of the like nature, for fear of being tedious to your Grace.

When I came first into the administration while it was impossible for me to know the Characters of particular persons, I placed my confidence in Chief Justice De Lancey, and this I thought I might most safely do, by his being Chief Justice of the Province, as well as one of the Council. By his advice and his assurances that no prejudice should follow to the King's service or to my self in the Administration by it, I consented to accept of the support in the manner which had been introduced in the time of Mr Clark's administration. I was the more readily induced to this, because I thought the entring into disputes with an Assembly on the commencement of a war might be imprudent.

As I had an entire confidence in Mr De Lancey it was long before I could entertain the least suspicion of his design. I could not even after they were apparent to others and till after he had compleated his faction as he desired, having introduced into the Council and Assembly by his influence with me, such men as he knew would serve his purposes.

In order that your Grace may see the true springs which have given motion and force to the faction, in opposition to my administration, and to lay open the foundation on which all their schemes are formed, I must observe to your Grace that Sir Peter Warren had set his heart on this government, till by his good fortune his hopes was rais'd above it; after which the Chief Justice succeeded to the same views, in which he was incouraged by the assistance he knew Sir Peter would give him, and it was given out here that Sir Peter had given assurances that no application should be wanting to bring the Administration of governmt into the Chief Justices hands. It was with this view and to serve this purpose that the schemes were laid which have since given me so much trouble. For the more effectually to carry this point they were to contrive all methods possible to perplex me in the Administration and to make it so uneasie to me that I should become desirous to part with it.

The Expedition against Canada and the many unforeseen incidents that afterwards happened in the war, gave them many opportunityes of prosecuting their scheme. Mr Gooch's declining the service after he had set a day for his departure from Virginia to take upon him the command of those troops, brought the whole care unexpectedly upon me, of all the troops raised in the severall colonies, which were to rendezvous at Albany without having any instruction for their pay or subsistance. The mutinous disposition of those troops while they wanted pay, and while the Chief Justice openly declared they were not subject to martial law, Your Grace may easily perceive must give men disposed to perplex me and to make me uneasie, too frequent opportunitys of carrying on their designs against me. They put me under a necessity of mortgaging my fortune, the Assembly first and the merchants afterwards refusing to advance any money on the credit of the Crown, or othewise than by my subjecting my person and estate in the same manner that merchants do, in drawing bills for their own benefitts. This they insisted on even after they knew that the merchants of Boston had excepted Mr Shirley's bills on the credit of the government only, and with an exemption of any personal demand on him in case they were not paid by the Government. So that I was laid under difficultys all the other Governours in America were freed from, and I must either risque my whole estate or the intire defeat of all the measures His Majesty had enter'd into for the reduction of Canada.

They not only opposed every measure which I took for the security of the Province under my care or for annoyance of the enemy, tho' they could nor did not make any objection to them as improper or imprudent, but under other pretences and deceitfull faulse insinuations endeavoured to force jealousies into the minds of the people; and at last by their tacking clauses derogatory to His Majesty's authority to all the money Bills for paying the troops

employed for the defence of the Province and for support of government, they were in hopes of putting me under the cruel necessity of incurring blame, whether I gave or denied my assent to those bills, either by exposing the King's service and the safety of the Province if I should refuse those bills, or expose myself to His Majesty's displeasure by giving up his authority and prærogative in giving my assent to them. I soon resolved to submit my self to His Majesty's mercy, trusting that in time of peace His Majesty could easily redress what a malicious faction had obliged me to submit to, in prejudice to his Majesty's authority.

In prosecuting the scheme to make me uneasy in my administration, the Chief Justice his faction in the Council and Assembly, to weaken my authority in the Province and even with a view to lessen & deprive me of any esteem my friends had for me, published the most scandalous falshoods, in such a manner as never was attempted in any Government, where there was not a fixed resolution to overturn it; and to deprive me of all assistance, every man who shewed the least inclination to support the character of the King's Governour was exposed to the like scandalous libells, to deter any gentleman from supporting His Majesty's authority in the hands of his Governour; of which M^{r} Colden, President of the Council is a flagrant instance.

I am persuaded that it will evidently appear to Your Grace that the views and designs of the faction not only extends to the depriving me of the Administration but likewise to deterr every gentleman in England of any character from accepting of the government of this Province afterwards, in hopes thereby to keep the Administration perpetually in their own hands.

If Your Grace can take the trouble to look over the papers which have passed between me and the Council and Assembly, no doubt I am perswaded can remain with Your Grace of the truth of what I represent especially when Your Grace shall consider the last act for payment of the salaryes services and contingencies therein mentioned, passed in the beginning of this Year where the Assembly tacks the payment of the Forces posted on the Frontiers for the defence of the Colony, to that Bill, and put me under a necessity of giving my assent to it, or of leaving the frontiers defenceless. In this they give one hundred and fifty pounds to Daniel Horsmanden for his publick services. What these services are every man in the Province believes to be the scandilous libells that have been published against me and my Administration, of which none doubt of his being the Author; and in the same Act appoint Robert Charles Sir Peter Warren's Secretary (& recommended by him to the Assembly) to be Agent for the Colony, and the Assembly has privitly (as I am well assured) given him this general instruction, to follow Sir Peter Warren's directions in every thing.

A small degree of attention to the publick papers which have passed between the Assembly and me, will sufficiently satisfy your Grace as to the truth of what I now assert; for it will evidently appear that they are not calculated with a view to have any grievance redressed, but merely to propagate slander and to carry on a scheme of power in a faction, in opposition to His Majesty's authority, and to make me uneasie in my governm^{t} in order to make place for the head of the faction; but if they do not, I must desire of Your Grace that sufficient powers be given to enquire into the truth of these matters, because it highly concerns my character, and that I be not thought unworthy of the trust His Majesty has reposed in me, that by such inquiry all persons in the Plantations may for the future be deterred from the like practices; otherwise it will be impossible to preserve His Majesty's authority in his Colonies, for it is highly probable that the other Colonies will take example from this, which is more immediately under the Crown than they are.

After your Grace shall have considered what I have now the honour to represent to you, I hope your Grace will approve of my retaining in my hands the Commission of Lieu[t] Governour sent to me for Chief Justice De Lancey, which I am only ordered by the Duke of Newcastle's letter to deliver to him before I leave the Province, but not immediately or at any particular time; but that your Grace will think he in no manner deserves to be intrusted with such a power after it shall appear to your Grace, as I doubt not it will, that the Ministry and my friends have been impos'd upon by a most deceitful pretence of friendship and regard to me and my family in the methods taken to procure the Commission, especially after the assurances and proofs which I can give your Grace that the Chief Justice most commonly met at a tavern with the faction form'd against me in the Assembly, where every thing brought into the Assembly to distress me and the scandalous libells which were published, were previously concerted. The apprehension I was under least His Majesty's service in time of war should suffer under these intrigues of a faction, made me desirous to return home, to apprise His Majesty's Ministers of the almost insuperable difficulties which attended the Administration in this Province, and of the dangers that the Colonies were under in time of war from factious intrigues. But now that these immediate dangers are removed by a general pacification, I am desirous to continue some time longer in this Government if His Majesty shall approve of it, that I may remove all these encroachments which have been made on His Majesty's authority and prerogative and clear up my own character from the aspersions endeavoured to be thrown upon it. I doubt not of being able to do this, if His Majesty shall send me especial instructions for that purpose, and I be enabled to give sufficient protection and incouragement to those who shall be willing to assist me against the effects of a violent faction.

Your Grace may perceive that by the methods now taken in the payment of the officers salaryes and contingent Services it is not in a Governour's power to reward any one person, while at the same time the faction is enabled to give liberally to all those who assist in opposition to me, even out of the moneys granted by Act of Assembly for the support of His Majesty's government. For this reason my Lord, I must beg leave to recommend it earnestly to your Grace to consider M[r] Colden's services at this time when he has had to strugle with the most violent attempt of an insolent faction, who have endeavoured to expose his person to the mobb, throwing out the vilest slanders upon him, and even threatned with death; which is no more that what I have, tho' they have not been able to effect their wicked designs.

My Lord since I have been made so sensible of the bad advice by which I was perswaded to accept the support of government in the manner I have done, and which I yielded to out of tenderness to His Majesty's service in time of actual war; I am now to inform your Grace that I am resolved to insist on having the support of government granted to the King, in such manner as it was granted in the time of all my immediate predecessors Governours in Chief of this Province; and that I will not give my assent to any Bill which shall alter the method of supporting the Government, which had been established and had remain'd so long without any inconveniences either to His Majesty's service, or to the subjects of this Province, or which shall tack to it, any matter foreign to the support of government. And tho' I expect to have a violent opposition made to this by the factious spiritt, yet I make no doubt of succeeding at last, if I should receive His Majesty's approbation of this my resolution.

I have presumed too long on your Grace's patience already, but I hope the matters which I am under a necessity to represent to your Grace and the importance of them for supporting His Majesty's authority in this Province, will excuse me; and therefore I shall conclude by

begging leave to give one instance out of many which may be given, of the necessity there is of enabling me to encourage those who are willing and able to assist me in the administration.

On the breaking out of the war with France the Contractors to supply the garrison of Oswego having refused to do it without a great addition to the sum given in time of peace and without a guard to escort the provisions and stores which should from time to time be sent, Coll: William Johnson undertook to do this at the rate it formerly had been done, with only a proportionable advance for the additional number of men that were thought necessary to support that garrison, and without insisting on any guard. This the Assembly accepted at first with thankfullness; but as this gentleman did afterwards eminently assist me in preserving and cultivating the fidelity of the Indians and in sending out parties of Indians against Canada, and has with incredible fatigue and with the greatest dangers to his person and fortune acquir'd a greater influence over the Indians than any one person in this Province ever had; yet because of his joining heartily with me in supporting me in His Majesty's service, the Assembly, to show how little this conduct could be to his advantage, put the payment of the contract made with him on a fund which they at the time knew was exhausted, and he still remains without one farthing of pay for the very large sums he had advanced.

The inclosed Acts was passed by the Council in their legislative capacity; before I gave my assent I summon'd them to give advice as a Privy Council, whether I should give my assent to these bills, there being several things in them which I apprehended to be inconsistent with His Majesty's instructions, and they advised me to give my assent to them, from the urgency of publick affaires.

I have the honour of both your Graces letters of 25th February and 7th May last, and have punctually observed His Majesty's commands signified by your Grace therein. I am with a most dutifull regard, My Lord Duke

Your Graces most humble
and most obedient Servant
G. Clinton.

Fort George at New-York
15 August 1748.

His Grace the Duke of Bedford.

Governor Shirley to Governor Clinton.

[New-York (S. P. O.) X., 577.]

S[r] New York August 13th 1748.

I am honoured with your Excellency's letter of the 5th instant in which you inform me, "That you are of opinion the present state of His Majesty's government within this Province "require the immediate attention of the Ministry" and are pleased to desire me "as His Majesty's "service has brought me here, whereby I have an opportunity of fully informing myself of this "matter from the Publick papers, & other information which your Excellency has directed M[r] "Colden to lay before me to consider the same & to represent it to the Duke of Bedford, as you "believe I shall find things in such a state that I shall think it my duty to give my sentiments

"thereon." Upon which I am to acquaint your Excellency that according to your desire I have informed myself of the state of His Majestys government within this Colony & find that several late innovations have been introduced by the Assembly into it, & incroachments made upon His Majesty's prerogative greatly tending to weaken his government, not only in the Colony of New York but in His Majesty's other Colonies in North America, through the influence which so bad an example (in this Colony especially) may have among them; and I now send your Excellency a particular state of the innovations and incroachments which appear to me most materially to effect His Majesty's government, with my sentiments of what may be the most adviseable measures for putting an end to them, as may either serve for your Excellency's private consideration only, or be of use to you in making a representation of them, as you shall think fit to the Duke of Bedford; which I think will come more properly from your Excellency than from me.

And as I found it necessary in order to trace the begining and growth of the several incroachments that have been made on the King's prerogative, as also to judge what might be the most proper steps for putting a stop to them, to look back into the state of the government under the Administrations of your Predecessors and compare it with the present state of it under your own, I have used the same method in drawing the following account of them, viz^{t}.

It appears by the Acts of Assembly that at the entrance of Governour Hunter, Burnet, Montgomery, & Cosby, for about twenty eight years past, upon their respective Administrations the Establishments for the support of His Majesty's Government were made for the term of five years, & no application of any part of the money arising from the supplies granted to His Majesty for that purpose, except for the payment of the Treasurer and Members of the Assembly, was made in these Acts: but there was only one general appropriation in them, viz^{t} *For the support of His Majesty's government;* and the money raised was thereby directed to be drawn out of the Treasury by warrants from the Governour with the advice and consent of His Majesty's Council, which it appears by the minutes of Council was done, and that £1560 p^{r} Annum, being at first and for several years afterwards equal in value to £1200 sterling (which sum the Gov^{r} is by His Majesty's 26th instruction directed to take out of his revenue within the Colony for his support) was constantly drawn out of the Treasury by him for that purpose, as also £400 p^{r} annum New York currency for fire wood and Candles for his Majesty's garrison there, and £200 p^{r} annum for the repairs of the fortifications; & no other grants or matters whatsoever were intermixed in the before mentioned Acts, except the Taxes and Supplies which constituted the Fund, out of which the salaries & allowances to the Governour, Judges & other Officers of the Government were to be paid.

It appears also by the minutes of Council that all other monies levied by Acts of Assembly were during that time drawn out of the Treasury by warrant from the Governour and Council.

And I find that during that time all publick warlike stores for the defence of the Colony were lodged in the King's Magazine with the Store Keeper and issued by order of the Governour in whose sole disposal they were.

And it does not appear that within this time the Assembly assumed to themselves the appointment of such officers, as it appertain'd to the Governour to appoint, or to nominate them to him, or turn them out of their posts or to create a dependency of them upon themselves by any extraordinary manner of making grants for their subsistence.

But I find that in the year 1743 upon your Excellency's first coming to the Administration the Assembly instead of making the before mentioned Establishment for the support of His

Majesty's Government for the term of five years, pass'd an Act intituled "An Act for the "payment of the Salaries, Services & Contingencies therein mentioned untill the 1st of "September 1744. out of the funds appropriated for the support of the Government" and have continued this method of granting salaries for the support of the Governour & other officers from year to year only, ever since; & many other innovations tending to create an intire dependency of the Governour & other Officers upon the Assembly, & to weaken His Majesty's Government in this Colony, have been occasionally introduced from year to year by that Act.

As first, many other grants are tack'd in it to those made to the Governour, among which some have been made to persons under pretence of *Extraordinary Services* done by them, but in reality (as I am informed by Mr Colden) for composing and publishing libellous papers against your Excellency's Administration, others to an officer of their own appointment for keeping the gun powder provided for the defence of the Colony, others to their Agent in England whom they have in the same Act obtruded upon your Excellency with directions for him to take his instructions from a Committee of their own house, exclusive (as it appears) to the Governour & Council, others to Committees appointed by the Act for the Payment of Officers & Soldiers raised for the defence of the Colony, the allowance of whose Muster Rolls as well as their pay has been likewise committed wholly to them by the Act. Others to the Commissioners for Indian Affairs for payment of outscouts to be raised and employed by them solely at their discretion.

2dly The Assembly have taken upon themselves contrary to the express directions of His Majesty's commission to his Governour by virtue of which their House sits, which orders "that "all money raised by Acts of Assembly shall be issued out by warrants from the Governour "with the Advice and Consent of the Council, & disposed of by the Governour for the support "of the Government & not otherwise." to limit in the Act what summs of money thereby raised shall be drawn out of the Treasury by such warrants & all other sums of money rais'd by Act of Assembly ever since, except those specially directed by this Act, to be drawn out by warrant from the Governor in Council, have been issued out by virtue of the several Acts *without such Warrant.*

3dly The grants to the Governor for his support & to the Chief Justice for his salary, provided in this Act, run thus (vizt) "To the Governour for administring the Government of "this Colony from the 22 of September 1743 to the first of September 1744 (and in like "manner for other years) after the rate of £1560 pr Annum" (which sum I observe is now according to the present exchange, sunk from its former value of £1200 sterling, to £900) "and "to James DeLancey Esq. as Chief Justice of the Supreme Court &c for the same year after "the rate of £300 pr Annum"; and so to the other Justices of the Supreme Court & to several other officers of the Government by *name*, and in case of the death or removal of any of them within the year it is provided in the Act that no more of their salaries shall be paid than what was due at the time of their respective deaths or removals and that "the Remainder shall be kept in the Treasury 'till dispos'd of by Acts to be hereafter pass'd for that purpose." So that in case the Governour or any of those officers dye or are superseded within the year, there is no provision for the support of the Lieut Governour or President of the Council in either of *their* Administrations during the remainder of the year, and untill the appointment of a new Governour, nor for the support of the successor of any other officer dying or removed within the year. And I would observe besides, that this new method of making personal grants to the Officers for the time being, seems plainly to imply that the Assembly, in case any

of the officers should dye or be removed by the Governour, they will not make provision for those whom he shall appoint to succeed them 'till they know who they are & how they approve of them.

4^{thly} It appears by the Minutes of the Assembly's proceedings that the Acts thus made for your Excellency's annual support are pass'd the last of the Sessions, & I am informed by M^{r} Colden that intimations have been given (as indeed the Assemblys delaying to compleat these Acts till the others of the same Session are consented to by your Excellency, is of its self) that unless you pass the others which are lay'd before you for your Consent, the Act for your support will not be passed.

It appears likewise that since the year 1743 considerable advances have been made by the Assembly towards usurping the nomination of Officers which it appertains to the Governour to appoint, & the power of turning such as are actually appointed by him, out of their posts, & that they have proceeded so far as even to appoint an Officer to keep part of the King's warlike Stores; one instance of which is, the Speaker's acquainting your Excellency in the name & by order of the Assembly & in their presence in the Council Chamber before the Council, that they had turned out one M^{r} Heath commission'd by you to be Land and Tyde Waiter for the Colony imposts, & chose M^{r} Brass into that post, whom they desired you would accordingly commissionate; which M^{r} Colden assures me was done when he was present at the Council Board. Another instance is, their message to your Excellency desiring you to appoint M^{r} Mills Sergeant at Arms, as appears by the minutes of their proceedings: another the committing the custody of the Gunpowder provided by them for the service of the King's garrison, to a person who had no authority from your Excellency to receive it, & for which he has a grant made him by Act of Assembly out of the money raised for the support of His Majesty's Government, and paid to him by the Treasurer, by virtue of the directions in that act, without any warrant from Your Excellency; all which appears by the Act itself.

The Assembly have likewise taken the custody & disposal of the gunpowder provided for the use of the King's garrison & defence of the Colony, out of your Excellency's hands into their own; which appears from their refusal to pass an Act pursuant to the recommendation in His Majesty's 77th instruction, for imposing a powder duty on every vessel that enters & clears, for furnishing the magazines with powder for the defence of the Colony (as is the method of most other Colonies, & was used not long since in this) that they might avoid having the powder lodged in the magazine with the Store Keeper & in the disposal of your Excellency. But instead thereof purchasing gunpowder out of the publick money granted to His Majesty for the support of his government, & which they call by a new distinction *the Colony's Powder* & order to be lodged in the Colony's powder House in the custody of their own officer, & not to be issued by him without an Act of Assembly for that purpose, but to remain there subject to their own directions and disposal; and such quantities as are issued out by acts of Assembly for the service of His Majesty's forts at New York and Albany, are ordered to be delivered, not to the Store keeper there to be kept in the King's magazine, but to particular persons nominated from time to time in those Acts, by the Assembly.

And I find likewise they have likewise taken from your Excellency the passing of the Muster Rolls of all the troops raised for the defence of the Colony (except the King's four Independent Companies) & issuing the pay for them and their officers, according to the Establishment made for that purpose, & committed it to persons specially appointed in their Acts; by which they likewise take upon them to draw money out of the Treasury for the pay, without warrant from the Governour.

And they have likewise taken upon them not only to give the like power to the Commissioners for Indian Affairs, with regard to the payment of outscouts, but even a power to raise and employ them at discretion.

I find also that since 1743. they have assumed the power of erecting, by Acts of Assembly, fortifications and ordering *in what manner* they should be raised, and committed the *execution* of this to the conduct and direction of persons specialy appointed for that purpose, in their Act.

And they have still proceeded farther in your Excellency's absence at Albany & without your consent or privity, to take upon themselves in conjunction with the Council to fortify part of the City of New York with stockades and Blockhouses, as your self informed me.

Upon all which innovations and encroachments I shall only observe in general, that the Assembly seems to have left scarcely any part of His Majesty's prerogative untouched, and that they have gone great lengths towards getting the government, military as well as civil, into their hands.

I have omitted to take notice to your Excellency of the stile of the Colony Acts, which runs thus: "Be it enacted by His Excellency the Governour, the Council and the General Assembly "*& it is hereby enacted by the Authority of the same*" as a designed incroachment; because I apprehend the latter part of it is not inserted in their acts with a view of claiming an independency on His Majesty in the passing of their laws or excluding His Majesty's royal authority to disallow them; but is a mere impropriety in them; However as the latter part of the enacting clause is not the proper stile of a subordinate government, & nothing should be permitted to be put into the Provincial Acts which may have a tendency to accustom the Assemblys to consider their power of passing laws, as compleat, without His Majesty's allowance of them, it should be omitted.

As to what may be the most adviseable measures for your Excellency to take in the present situation of affairs within your government, I think no time should be lost for letting the Assembly know you expect that for the future they should provide for the support of His Majesty's government in the same manner which former Assemblies used to do it in, except as to having the sums proposed to be drawn out of the Treasury for the Governours salary & other Allowances, & for the maintenance of the several officers, ascertained in the Act or Acts themselves (which I am of opinion the Assembly have a right to do) instead of intrusting it with the Governour & Council, as was the former method; also that your Excellency should insist in general to have His Majesty's government within the Province restored to its former state. And I think your Excellency will have an advantage for effecting this beyond any other person, as the innovations & incroachments have arisen under your administration what was done in M^{r} Clark's time who was only an occasional Commander in Chief upon the death of M^{r} Cosby & till the appointment of a New Governour, I think can not be regarded in the case) and therefore that it must seem reasonable to the Assembly for you to insist upon putting a stop to them; whereas should a Lieu^{t} Governour or President of the Council attempt this in your Excellency's absence from your government, I can not think he would have the least weight with the Assembly for altering what the Chief Governour has yielded to; and should not this reformation of the government be made during your Excellency's administration, you[r] successor will I fear find that the continuance of these innovations & incroachments during the whole time of *that*, will be a considerable barr to his getting the government restored to it's former state & make the Assembly more tenacious of these incroachments than they will probably be now.

I shall only add that as your Excellency must expect at first [to meet] with some reluctancy & opposition in the Assembly to giving up the points they have gained I would recommend it to your consideration whether if you could procure His Majesty's disallowance of one or more of the late Acts of Assembly, by which these innovations have been introduced, and an additional instruction for restraining you from giving your assent to the like for the future, to be transmitted you, it might not strengthen your Excellency's hands and facilitate your resettling the King's government upon it's former foot: I think it would go far towards it. Wishing your Excellency all possible success in this affair, I have the honour to be with the most perfect regard, Sir,

Your Excellency's most obedient
& most humble Serv^{t}
W. Shirley.

A true Copy, examined by me
(signed) George Clinton

Governors Clinton and Shirley to the Lords of Trade.

[New-York Papers, Hh., No. 9.]

My Lords.

We beg leave to lay before Your Lordships an account of our Proceedings upon our late Interview with the Indians of the Six Nations & their Allies at Albany, together with what we conceive proper to be done for cultivating a Friendship with them & keeping them in a Dependence upon His Majesty.

When we received His Majesty's Commands by His Grace the Duke of Newcastle's letter of the 3^{d} of October last to M^{r} Shirley, directing us to concert Measures to secure the Indians of the Six Nations in His Majesty's Interest, together with the Presents, sent for them to Gov^{r} Clinton, they were under great Uneasiness & Jealousy from the Disappointments they had met with since their joining with us, in the War against the French of Canada.

When first they entered into it, they had their spirits raised to the highest pitch by the preparations they saw making by land to invade Canada, and the assurances we had given them of a much greater force of Regular troops & Ships of War to attack Quebec by sea: They saw all these hopes vanish and thô they made several Incursions with small Parties into Canada, generally with success yet they lost some of their principal Men either killed or taken Prisoners by the enemy, and while the English continued to act upon the Defensive, without making any attempt upon the Enemy's Country.

This produced a jealousy that we are desirous to save ourselves the trouble by exposing them to all the Dangers & Calamities of War, at the same time the opinion which they had entertained of the English Courage & strength was lessened almost to a Degree of Contempt by the Intrigues and Artifices of French Emissaries among them, and the Jealousies formerly infused into their Minds, that the English designed to have their Nations destroy'd, in order to possess their lands, were revived; and such Impressions were made upon them that they were ready to send a solemn deputation to Canada, for which purpose their principal Sachems were mett together; and we cannot help saying upon this occasion, that there is even reason to suspect

they were encouraged in this by some of the Inhabitants of this Province, in hopes to obtain such a kind of neutrality between this Government and Canada, as subsisted by the Interposition of the Six Nations in the time of Queen Ann's war.

Under all these Difficulties Governour Clinton by sending Coll. Johnson with other proper persons to the meeting of their Sachems, & by inviting them to meet him & Governour Shirley at Albany and with hopes of very large presents to be given them, put an entire stop to their sending any Deputation to Canada, and at this meeting, My Lords, a greater number of Indians appear'd at Albany than any person now living had ever seen there.

We must now observe to Your Lordships that thô we had received no Orders or Instructions from his Majesty when we were at Albany, Yet Intelligence of the Preliminaires for a General Pacification being signed, and that a Proclamation for a Cessation of arms was published, made the Prospect of Peace become part of the Common conversation at Albany so that it was not possible to keep it Secret from the Indians, and it greatly affected all of them but more particularly the Mohawks, who had lost some of their best Men and were bent upon Revenge.

In this state of Affairs all was obtained from them that could be proposed; they promised either to drive the French, who privately resided among them, out of their Country, or to deliver them up to Gov^{r} Clinton. They also promised to send no Deputation to Canada, and that they would keep their Warriours or fighting Men in readiness, when ever Gov^{r} Clinton should call for them.

These things could not be done without a great Expence in sending proper persons at several times among the several nations before the Interview at Albany, in supporting the Indians liberally on their Journey, to and from Albany, as well as while they continued there, and as their Crops of Corn and their hunting had failed this year, which they said was occasion'd by their being engaged in the War, it became necessary to send a supply of Corn to their several castles; and as one artifice of the French Governour to draw the Indians to Canada was a promise that in such case he would treat with them about the Redemption of their Brethren then Captives there which was a very strong Inducement to them to send some of their Sachems there for that purpose, and M^{r} Shirley had brought with him fourteen French Prisoners from His Government to Albany to be sent from thence to Canada, in order to redeem the Indian Captives which was very acceptable to the Indians in general: We thought it advisable and it became indeed necessary from the expectation of the Indians that those prisoners should proceed to Montreal by the way of Oswego to be exchanged for the Indian Prisoners, in case twenty five French Prisoners sent some time before to Canada by Gov^{r} Clinton should not be sufficient to redeem all the Indians, that were captives in that Country.

But notwithstanding all this necessary Expence in order to bring the Indians into a good disposition & to convince them of their being safe under His Majestie's protection & the Advantages they received from the friendship of the English beyond what they could hope for from the French, it would not have been sufficient had they not received encouragement from several nations of Indians who live on the borders of the great lakes, and are at this time much dissatisfied with the French, who Offered to join with the Six Nations in case they would make a vigourous attack on Canada, in Conjunction with the English and here My Lords we could observe to Your Lordships there is at present such a prospect of promoting the English Interest & Trade among numerous Nations in the Inland Country, who formerly were in the French Interest, that we must earnestly Recommend to Your Lordships the effecting of it, which we think may be most properly done by giving Encouragement to one or more suitable

persons to inform themselves of everything which may be usefull (either by gaining or preserving the Friendship of those Nations) for promoting trade among them & for preventing their being abused & cheated in their Trade.

Something of this kind has been committed to the care of a number of men at Albany, under the name of Commissioners for Indian Affairs, but as they are all Traders with the Indians, they seem to have at all times had more regard to their private proffitt than to the publick good, & their chief aim & view seems to have been to continue a Clandestine trade which the principal Men among them have in Canada and which would be most advantagious to them in time of War, as it formerly was in Queen Ann's, while Albany serv'd as a convenient place for stores to the enemies parties that made Incursions upon New England.

Indeed the Traders with the Indians on many accounts are the least proper to be intrusted with the conduct of publick Affairs among them; And we would further observe to Your Lordships that the Indians, but more especially the Mohawks, who are now intermixed with the English or rather Dutch settlements did not long since entertain great Jealousy of the Commissioners, suspecting that they were desirous to have their Nations destroy'd in order to possess their Lands, and this Jealousy broke out in a remarkable manner about the time of the Commencement of the War with France, & we are affraid may be again renewed on the News of Peace.

Also that since these Commissioners discovered that Gov^{r} Clinton was resolved to discourage by all means any Commerce or Intercourse with Canada, which was carried on by the Assistance of the Indians, they have refused to Act any longer as Commiss^{rs} & still continue so to do.

We would also observe to Your Lordships that the time of Peace is the most proper both to gain sufficient Intelligence of the Numbers & Scituation of these distant Nations, & of the Trade that may be carried on among them for the general Benefit of His Majesty's Subjects, as the French never omitt gaining all Advantages of this kind during the Continuance of it, and if care is not taken to improve the Advantages we now have among all the Indian Nations to the Westward of us by their present disaffection towards the French—The French will succeed in the assiduous Artifices which they never neglect, in order to make the English loose all Esteem & Influence among the Indians.

We are also to Acquaint Your Lordships that Commiss^{rs} from the Government of Massachusetts Bay presented to us at Albany a Memorial wherein they among other things pray'd us to represent to His Majesty the following Prayer of their Memorial, viz^{t}

"Your Memorialists further Pray Your Excell^{ys} to represent to His Majesty that the said Gov^{rs} "of Massachusetts Bay & New York with New Hamshire (a great part of which last mentioned "Government had always been defended by the said Massachusetts Province) are an immediate "Barrier to several of his other Colonies & Provinces against the Enemy & that the safety "and security of all his Governments depends on the defence of these three Governments as "the rest must soon share the same fate if these are destroyed and the others are at little or "no expence for the Protection of their own frontiers, and that it is altogether as unreasonable "that the Burthen and charge of this Defence and the resistance of the enemy should lay "wholly upon those three Colonies, as that the charge of defending any Counties in Great "Britain that may be invaded should be confined to such Counties alone, and all the rest "should be free from any part thereof. And as the other Governments have been frequently "invited to join in concerting measures for carrying on the war at the Expence of the whole,

"in a just & reasonable proportion, but all Except Connecticut have declined treating on this "subject, and seem determined to afford no assistance; We therefore humbly desire that you "would make earnest application to His Majesty, that he would be graciously pleased so far "to interpose as that, whilst the French remain in possession of Canada, those other Governm^ts "who are not so immediately exposed may be obliged to a just proportion of the charge of "Defending the Inland Territories of the three Governments of the Massachusetts Bay, New "York & New Hampshire."

We agree in sentiments with the Memorialists & would further Represent to Your Lordships that the French have gained great advantages in the present war by their Fortress which was built at Crown Point in time of Peace, & is truely an Incroachment on His Majesties territories as from thence they were enabled to send out parties of Indians & French to harrass the Frontiers of New York & New England and it served their parties as a secure retreat in case of their being pursued by a superior force; it being only three days travelling from the English Frontiers & about half way between Albany & Montreal in Canada; Whereas the parties sent from New York into Canada were under great difficulties by their being obliged either to pass near that Fortress or to go a great way round thro' a vast Mountainous Dessert, & had no place of retreat for their security, or for recruiting either with Provision or Ammunition.

For these reasons, My Lords, it was to be wished that the French could be induced to demolish that Fort, as an Incrorchment on His Majesties Territories But whether this can be obtained or not it seems necessary to build one or more Forts near some of the most considerable Passes towards Canada, and as near to Crown Point as conveniently may be, otherwise the Planters will be discouraged in resettling the Frontiers, which have been laid Waste in this War, and our Frontyers will not advance into the country while the French will be continuallye incroaching upon the King's territories by New Settlements.

We agree likewise with the Memorialists that it is not reasonable that the building of these Forts & the other Defences of the Frontiers should be at the Expence of the Northern Colonies only, since the Southern Colonies are covered by the Northern ones, & reap the greatest advantages from their Defence, and we are of opinion that as the Inhabitants in the Southern Colonies, by the Defence which the Northern Colonies give them, have the Benefit of following their several occupations in safety, & are freed from all the Calamities of a barbarous war, to which the Inhabitants of the Northern Colonies are Exposed, the Southern Colonies, as they are thereby Enabled so they ought to pay a larger proportion to the charge of Defence, than otherwise might be thought equitable.

Upon this head we would further observe to Your Lordships that we are convinced from past Experiments that the Colonies will never agree on Quotas for that purpose; and therefore their respective Quotas must be settled by Royal Instructions. This was done in King William's Reign, but their present state is so much altered, particularly Pensilvania so much more increas'd than the others, that the Quotas then setled would now bear no proportion to the Abilities of the respective Colonies and it is necessary for us likewise to observe to Your Lordships that on many occasions there has been so little Regard paid in several Colonies to the Royal Instructions that it is requisite to think of some method to inforce them. We are with the greatest Regard,

My Lords,

Your Lordships most obedient
& most humble Servants
G. Clinton. W. Shirley.

Fort George in the City
of New York, 18th Aug^t 1748.

Conference between Governor Clinton and the Six Nations.

[New-York Papers, Hh., No. 10.]

Propositions made by His Excellency The Honourable George Clinton Captain General and Governour in Chief of the Province of New York, Vice Admiral of the same, and Admiral of the White Squadron of His Majesties Fleet to the six Nations of Indians (viz^{t}) the Mohawks, Oneydas, Tuskaroras, Onondages, Cayougas and Senekes as also to their Allies (viz^{t}) Oghquuges, Toalaghreghsoonees[1] and Scanehaderadeyghroones at Fort Frederick in Albony the 23^{d} day of July 1748.

PRESENT—His Excellency the Honourable George Clinton
His Excellency William Shirley Esq^{r} Governour of Massachusetts Bay.
The Hon^{ble} Cad^{r} Colden, Philip Livingston, James Delancey, Arch^{d} Kennedy } Esq^{rs} of his Majesties Council for the Province of New York.
Commissioners from the Government of the Massachusetts Bay.
The Officers of the Independent Companys, and Several Gentlemen from New York and Massachusetts Bay as also the Gent^{n} of the Town.

Brethren

It gives me great pleasure to see so many of the six nations mett here together, with Your Allies, and I give you all most hearty welcome to this place, where our fire burns.

You have at this time a strong proof of the friendship which His Excellency M^{r} Shirley Governour of the Massachusetts Bay has for you, by his coming in person to this Interview of which you will be fully assured from His Excellency's own mouth, having travelled by Land in such time of Danger, under many Difficulties in the way, least you should wait too long here for him, if he had taken y^{e} easiest way by water. A String of Wampum.

Brethren,

I informed the King Your Father with what zeal you join'd his subjects here in the War against the French, and their allies in Canada, Whereupon His Majesty has sent me a considerable present to give you as a token of his being well pleas'd with Your conduct on that occasion, and of the Confidence he still places in Your Fidelity and Zeal for his service.
A Small Belt.

Brethren,

I am very glad of this Opportunity to brighten and strengthen that Covenant Chain, by which our forefathers Linck'd us strongly together and which has ever since continued firm and lasting to this day, notwithstanding the many unwearied attempts of our malicious and cunning enemies to break it, and I hope that neither the rust of time, nor their policy, can prevent its remaining strong and firm as long as the Sun and Moon shall endure, Our Mutual Strength and security

[1] Toataghreghroones. *New-York Colonial Manuscripts*, LXXVI.; *New-York Council Minutes*, XXI., 311. Sometimes called Saponies, sometimes Catawbas. *Supra*, V., 660, 673. — ED.

highly depends thereon, agreable to the repeated Declarations of our Forefathers, and while you remain strongly united with Your Brethren the English (who have always been Your steadfast friends) you can have no reason to fear any thing the French dare to attempt, unless they can prevail upon you to trust to any of their deceitful promises, which I expect and insist upon You will not listen to.

A Belt.

Brethren

I must inform you of one thing which I suspect our enemies the French may endeavour to accomplish, as soon as you return home, because they have [often] of late attempted it, that is to draw some considerable Men from among You to Canada, on some pretence or other, in hopes thereby that the French Governour may have it in his power to weaken or break the Covenant Chain, which subsists between us, and to overset what I do now with sincerity declare to you, whereas he never speaks with truth, but at all times deludes you with his smooth Tongue and artfull promises which if you give ear to, will surely prove Your ruin, as your Forefathers by sorrowfull Experience have often felt. Therefore I earnestly Desire and conjure you, by this Belt of Wampum, not to go that way, nor listen to any Invitations from him, nor any of his Emisaries, nor give credit to any wicked and false stories, which he or they may raise among you.

A Belt.

Brethren,

I have often told you not to suffer any French to reside among you, and being informed that many of them are from time to time admitted into Your Castles, and now remain there, contrary to Your promises to me; and as such People are sent among you, to raise Jealousies & Differencies between you, and Your Brethren, without any foundation for it, I expect for the future that you will not suffer any French to enter Your castles, or dwell with you, but that if any do come for that purpose I desire you will make them Prisoners, and send them to me, or else I will send for them, and I hope that none of you will oppose my Messages for that end.

A Large Belt.

Brethren,

As you have had my Ax in your hands for some time past I must desire you will keep it, and that you will hold Yourselves in readiness to use it, jointly with us, whenever you are called upon, as the enemy are committing murders daily upon you, and Your Brethren, on their own lands, and as our forefathers always said and agreed that whatever happen'd to one should be sensibly felt by the other, being as one Body and one mind, I expect that You will remember, and keep up that agreement acccordingly, and upon this occasion I must advise you to keep Your Young men at home and not let them go to War against the Flatheads, who are in strict friendship with Your Brethren the English.

A Large Belt.

Brethren

I have sent a number of French Prisoners to Canada, in order to redeem such of our Brethren as have had the Misfortune to fall into their hands, according to my promise to you by Col. Johnson at Onondaga, and in this as well as on other occasions I have taken the same care for their Redemption, which I have done for His Majesties other Subjects. His Excellency the Governour of the Massachusetts Bay (to shew his regard likewise for you) has brought

fourteen French Prisoners to this Place, that in case the Prisoners which I have sent to Canada, be not sufficient to redeem all Your people from Captivity, these may be Exchanged for them.

A Belt.

Brethren

You have since you came to this Place given a new and strong proof of your love to Your Brethren and fidelity to the King your Father by so cheerfully and speedily sending out a Number of Your Warriours with our Troops in quest of the enemy who a few days since surpriz'd and killed many of our Brethren at Schanectady, and althô those who earnestly pursued the Enemy had not the good fortune to meet with them, You may assure Your selves that this Instance of Your Affection and readiness to Join in our cause shall always be remembered by me and made known to the King Your Father

A Belt.

Answer from the Sachems of the Six Nations to His Excellency the Hon^{ble} George Clinton Cap^{t} General and Governour in Chief of the Province of New York Vice Admiral of the same and Admiral of the White Squadron of His Majesties Fleet at Fort Frederick in Albany the 26 July 1748.

PRESENT—His Excell^{y} the Hon^{ble} George Clinton
His Excell^{y} Will^{m} Shirley Esq^{r} Gov^{r} of Massachusetts Bay.
The Hon^{ble} Cadwallader Colden, Philip Livingston, Archibald Kenedy, James DeLancey } Esq^{rs} of His Ma^{ties} Councill for the Province of New York.
Coll^{o} William Johnson.
The Commissioners from the Governm^{t} of the Massachusetts Bay.
The Officers of the Independent Companies, and several other Gentlemen from New York and the Massachusetts Bay.

They said by their Speaker Onnasadego an Onondage Sachim.

Brother Corlaer, Waraghjago and Yahowanne.

As Your Excellency has been Pleased to take Pitty on us for the Loss of our people and the Sickness which has been among us since our last Interview, and has wiped off our tears that we may cheerfully Speak together we do in like manner condole the losses you have had and are Especially grieved for those People who have been slain by the enemy; we condole them wipe up their Blood and dry up Your tears, that we may speak with a free Mind to Each other, and that the old friendship which has subsisted between us may not be forgotten.

Gave a String of Wampum.

Brother Corlaer

You told us that you was rejoyced to see so many of the Six Nations here, we may be very thankfull for that Blessing, and so are we, that we see you Brother Corlaer Yehowanne & Waraghjago together in good health at this Place where our fire of Amity and Friendships Burns, which we hope shall Endure till time be no more.

Gave a String of Wampum.

Brother Corlaer, Warachjago & Jehowanne

We heartily thank you for your great Esteem and Regard for us, that you have acquainted our father his Majesty King George (who we acknowledge to be our common father and Protector) that we have assisted our brethren the English in this War against the French, We return thanks to His Majesty for his bounty and goodness in sending us a Present to be delivered unto us by you, we promise that we shall not be wanting in our Duty. We thank you for acquainting and reminding us of the ancient Covenant chain, which has so long subsisted inviolable between us, and our ancestors, the terms and Conditions you know better than we because you have them in writing and we only by Oral Tradition, as you have renewed the same we do solemnly in like manner confirm and renew the same with you, that we may hold fast together hand in hand till Death parts us, [you tell us] that the French continually use Artifices with us, Endeavouring thereby to break that Covenant which subsists between us: This we cannot Deny, but do freely acknowledge it, but we faithfully promise not to hearken nor give credit to the French for the future, but adhere firm to you our Brethren, and hope the Brethren will do in like manner, on their parts to us, as long as the world endures.

Gave a Belt.

Brother Corlaer, Waraghjago & Yehowhanne

You told us that you suspected that after we are returned home the French will invite and send for some of our men to go to Canada, in order to delude and draw some of them off from their Duty to our Common father or endeavour to oversett or Prevent what we have now Promis'd and Engag'd to perform.

We know it to be true, as you observe that the French are Deceitfull and Endeavour to draw some of us over to them. We believe You Speak sincerely from the bottom of Your heart, but the French speak artfully and Deceitfully, We do expect they will come among us to try to Delude us craftily, but we all the Six Nations are Determined not to give credit, nor hearken to what they may tell us, and not one of us shall go to Canada on any Pretence, according as you Desire from us: We do not Speak this only from our Lips, but Sincerely from the Bottom of our hearts.

Gave a Belt.

Brother Corlaer, Warachjago & Yehowanne

We the Six Nations know by Experience that the French of Canada are Deceitfull and not to be trusted that they will Endeavour to draw some of us off from our Duty & fidelity to his Majesty but they shall not be able to accomplish it. We Promise not to suffer Jean Couer the French Interpreter, nor any French, for the future to reside or Dwell among us. We promise that if he or any other from Canada shall come among us, we shall Either send them to Your Excell^{y} or Deliver them up to any Messenger Your Excell. may send for them, or Drive them out of our Country. Jean Couer has been given up already by the Sinekes. You may be assured that what we now promise to Your Excell^{y} we shall faithfully Perform, as Your Excell^{y} has Desired from us.

Gave a Belt.

Brother Corlaer, Waraghyago & Yehowanne

You told us we had Your hatchet a long while and Desired us to keep it in readiness, for the French are deceitfull and not to be trusted, we may expect daily that they will attack us or you as we have lost some people by their Parties we Promise to keep our Warriours at home, that we may be always ready and not surpriz'd by them. You desir'd us to keep our Young

men at home, and not send them out against the Flatheads who we hear are friends to our Brethren the English. This we promise likewise to do as you desire. You desired us two Year agoe that we should keep our Young Men at home, that the war-kettle was hung over the fire by you, Since we received and have had the hatchett in our hands some of us have made use of the same and others stayed at home, Expecting to be called upon for this reason our Young men have not been able to go on their hunting at any distance from home as usual, which has Impoverished us very much and thô we are considerable sufferers by this war, we shall nevertheless keep our warriours at home, as you desire to be Ready at Your first call.

Gave a Belt.

Brother Corlaer, Waraghjago & Yehowanne

When Coll° William Johnson was at Onondage the last Spring he promised to use his Endeavour to get our people who are prisoners in gaol at Canada, which Promise we see you have Endeavoured to accomplish by sending a number of French Prisoners to Canada to Redeem them, for which we are heartily thankfull to you, and that you Promise to take the same care of our Prisoners as you will do of Your own people who may have the misfortune to fall into the enemies hands, and we are much obliged to Governour Shirley, that he has been pleased to bring a number of French Prisoners to redeem ours for which We are very thankfull to you both Gave a Belt.

Brother Corlaer, Waraghjaga & Yehowanne.

The Cruell Murthers lately committed by the Enemy on the Inhabitants at Schoneghtedy, Just before Your arrival at this Place affects us very much, we are much oblidged to you for Your kind Approbation for our Readiness to Pursue the Enemy, we have done our Endeavour but they were gone a different Road home from what they used to go so that we Could not overtake them, we Promise to be always Ready on the like occasion. Gave a Belt.

Speech made by His Excellency the Hono^ble George Clinton Cap^t Generall and Governour in Chief of the Province of New York, vice Admirall of the Same and Vice Admirall of the White Squadron of His Majesties Fleet, to the River Indians at Fort Frederick in Albany the 27 July 1748.

PRESENT—His Excellency the Hon^ble George Clinton
His Excellency William Shirley Esq^r Governour of the Massachusetts Bay
The Hon^ble Cadwallader Colden, Philip Livingston, Arch^d Kenedy } Esq^rs of his Majesties Council for the Province of New York.
Andrew Oliver, Thomas Hutchinson, John Choat } Esq^rs Com^rs for the Province of the Massachusetts Bay.
Coll° William Johnson
The Officers of the Independent Companys and severall Gentlemen from New York and Massachusetts Bay.

Children,

I am glad to see you here, and do give you thanks for the fidelity you have always shewn to this Government, and I do assure you You shall never want my Protection as long as you behave

Your selves with Duty and Obedience to His Majesty; and as a token of the King Your Father's Affection, He has directed me to make you a Present which I have ordered to be given you, and as a token in Renewing the Covenant Chain I give you this Belt of Wampum

Gave a string of Wampum.

Answer of the River Indians to His Excellency the Hon^ble George Clinton.

Father,

We wipe off [y]our Tears for the Loss you had of Your people who have been murder'd since the commencement of this War. Gave a String of Wampum.

Father,

We are very much rejoyc'd for the Regard Our Father the King of Great Brittain has for us, by ordering a Present which you assure shall be given us.

Gave a String of Wampum.

Father,

Our forefathers told us that before any white people came among them they saw a Vessel in the River, for Some time they were afraid to go to it, but at last they ventured on board and found them to be White men, who treated them Civilly and Exchanged mutually presents to each other, with promises that they would return the next Year; which accordingly happen'd, when they came again the White people and they Enter'd into a Covenant together that they should live on these Lands, which they did, and they also promis'd to take us under their arms and protect us, which they have done to this Day. Gave a Belt.

Father,

When you came first to this Country You were but a small people and we very numerous, we then assisted and Protected you, and now we are few in number you become Multitudes like a large Tree whose Roots and Branches are very Extensive, under whose Branches we take our Shelter, as we have heretofore done Gave a Belt.

Father.

It is now almost three Years since the war first began, You have had a very numerous armey together, We were Ready to join You, in hopes that Canada would have been in possession of the English before now, We have been always and have still our hands on the cocks of our Guns to go against our comon Enemy whenever we shall be comanded.

Gave a Small Bundle Skins.

Father.

We thank you for Your kind Expressions towards us, and are sorry we were not here the other day, when the Enemy murther'd a number of our Brethren at Schinectady, which if we had we would have readyly and chearfully Joynd in the persuit of them, even to the Gates of Crown Point. Gave a small Bundle Skins.

A true Copy examin'd & compared

p^r P. Livingston, Secretary for the Indian Affairs.

Conference between Governor Shirley and the Indians.

[New-York Papers, Hh., No. 11.]

Propositions made by His Excellency Governour Shirley, Captain General & Governour in Chief of the Province of the Massachusetts Bay, & Vice-Admiral of the same, to the Six Nations of Indians, viz^{t} the Mohawks, Oneydays, Tuskaroras Onondagas, Cayougas, & Senekes, as also to their Allies, viz^{t} Oghquuges, Toalaghreghroonees & Scanehaderadeyghronees at Fort Frederick in Albany the 23^{d} day of July 1748.

PRESENT—His Excellency The Hon^{ble} George Clinton
His Excellency William Shirley Esq^{r}
The Hon^{ble} Cadw^{r} Colden
Phillip Livingston
Archibald Kenedy
James Delancy
} Esq^{rs} of His Majesties Council for the Province of New York

Andrew Oliver
Thomas Hutchinson
John Choate
} Esq^{rs} Commissioners for the Province of the Massachusetts Bay.

Col^{o} William Johnson.
Several Gentlemen from Boston & New York, the Officers of the Independent Companies & the Gentlemen of the Town.

Brethren.

I am glad to have this Opportunity of saluting You and Your Allies here in the King Your Father's Name, & inquiring after Your health & welfare. Gave a string of Wampum

Several Months ago I let the King Your father know how just you have been to Your Engagements with his Excellency Governour Clinton, under whose immediate care he has plac'd you, & faithfull to Your Brethren of the English Colonies, by taking part with them in the Warr ag^{t} the French & those Indians whom they have seduced into their Interest, to make 'em Instruments of their Cruelty & perfidiousness to us & you; Thereupon the King Your Father has sent his Royal Commands to me to join with Governour Clinton in doing whatever may be necessary for Your Defence & Protection ag^{t} the common enemy, & in giving You proofs of his paternal Care & Tenderness for You, whom he looks upon & will ever treat as part of his Children upon this Continent; And I have chosen this opportunity, when His Majesty's presents are to be delivered to you, as the most convenient for meeting you here, that I may in Conjunction with His Excellency the Governour of New York, give You Assurances of this in the King Your Father's name, & Act in concert with him for securing Your welfare. Gave a small Belt.

Brethren,

I am further to acquaint you that notwithstanding I now visit & speak to you in consequence of Instructions w^{ch} I have receiv'd from the King Your Father, yet the Province of the Massachusetts Bay, w^{ch} the King has putt under my Government, being willing to take every opportunity of cultivating that friendship which has subsisted between them & you from the

beginning has Appointed three Gentlemen to accompany me & attend on their behalf at this Interview; And I now assure you on the part of the Province, as does the Appearance of these Gentlemen, that it is sincerely desirous that the Covenant Chain may be constantly kept bright & strengthned between them and You, & that the Path between the Massachusetts Bay & Your Country may be kept clear and open, so that there may be a constant & free Intercourse between us, & that we may frequently inquire after & mutually promote each other's welfare.

Brethren, It was with great Concern that I heard of the severe Imprisonment of our Brethren of the Six Nations, who are now Captives in Canada: Before I had been informed of this, upon receiving intelligence that an Indian belonging to the Goverment of Rhode Island, who was taken prisoner had been sold in Canada for a slave, I wrote to the late French Governor there complaining of it & demanding of him to set him free & treat him with the same rights of Warr, that the Kings subjects are entitul'd to; to which the present Governour of Canada has return'd me for answer that he had inquired after that Indian but could hear nothing of him: This was by no means a satisfactory answer to me, and as I have now brought with me from my own Governm^{t} fourteen French Prisoners to be sent forward to Canada for the Redemption of our Brethren of the Six Nations, lest those w^{ch} have been sent before by Governour Clinton for that purpose should not be sufficient to procure their Release: His Excellency and I are determin'd to write a joint Letter to the French Governour demanding the Ransom of these Prisoners, & to let him know we expect our Brethren of the Six nations & their allies should in all points be treated by the French, when made their Prisoners, as the English Subjects are. Gave a Great Belt.

Brethren

I must not omit observing to you that I esteem the Readiness and Alacrity of such of You as went out three days ago with a sincere and hearty disposition in quest of the Enemy, who according to their usual barbarity most inhumanly mangled the dead Bodies of Your slain Brethren, whom they had surprized wth unequal numbers at Schenectady as additional proof of Your Affection & Fidelity to us & of Your Zeal for the King Your Father's service.

Gave a Small Belt.

Brethren

I must conjure you to keep the Ax which Governour Clinton has delivered to You, & to hold Your selves in constant Readiness to join with Your Brethren in making use of it when You shall be called upon to revenge the Murthers w^{ch} you see daily committed by the Enemy upon us and You in our own lands, instances of w^{ch} You lately had in the Persons of Your Brother Kingego & his two Companions; Cruelties most unnatural in the French Indians who us'd them, as they had been once Your natural Brothers; But whoever acts by the instigation of the French, our and Your inveterate Enemies must divest themselves of all truth & Humanity to please their cruel perfidious Masters.

I must likewise conjure You that you would not Suffer any of Your people to be drawn away upon any Pretence whatever in Canada, by the deceitfull Invitations of the French, whose sole view in doing it is to gain Opportunities of breaking that strong Covenant Chain, which has from the beginning link'd our forefathers together, who by Experience found that their and our safety depended upon keeping it unbroken and firm; also that you would not permit any French to reside among You in Your Castles, but that you would consider them as Enemies, who come

among you to spy out Your weakness, & destroy you by instilling into you groundless Jealousies of Your Brethren, & thereby betraying You to Your Enemies in Canada, who will make use of a thousand different Artifices to divide you from them; well knowing there is no other way of ruining you than that; and I must put You upon Your guard ag^{t} permitting Your Warriours to go out from among you to fight with the Flat heads as they live in Friendship with Your Brethren the English. Gave a Belt.

Brethren

Whilst You strictly observe the Orders which Governour Clinton has given you & keep Your selves closely united to Your Brethren, & depend upon the King Your Father for his Protection of You & Your Families in the Enjoyment of Your Lands & Possessions, You will be in no danger of being drove out of Your Country & having Your Nations Extirpated; but may rest secure of being treated with the same Paternal Regard by the King Your Father, as his English Subjects are: But if you suffer Yourselves to be deluded by the Fair Promises of Your old Enemies the French; They, when they have once got you into their power, by breaking the Covenant Chain between You and Your Brethren the English, & drawing You from under the King Y^{r} Father's Protection will soon find out means to root out Your Tribes, & share Your Lands among them, which I conjure you by this Belt of Wampum to guard Yourselves against. Gave a Great Belt.

Copy. W. Shirley.

Speech made by His Excellency William Shirley Esq^{r} Captain General & Governour in Chief of the Massachusetts Bay in New England & Vice-Admiral of the same, to the River Indians at Fort Frederick in Albany the 27th day of July, 1748.

Present — as before.

Children,

I take this opportunity of joining with His Excellency Governour Clinton in thanking You for Your fidelity to the English, & of assuring You that upon Your continuance of Your Dutifullness & Obedience to the King Your Father You will share His affection w^{ch} he now gives You a token of in the Presents he has directed to be made You. Gave a Belt.

Copy. W. Shirley.

N. B. The Answer given by the River Indians to Governour Clinton at the end of his Speech to 'em was likewise addressed to Governour Shirley.

Answer of the Indians to Governor Shirley.

[New-York Papers, Hh., No. 12.]

Answer from the Sachems of the Six Nations to His Excellency William Shirley Esq^{r} Captain General and Governour in Chief of the Province of the Massachusetts Bay in New England, & Vice Admiral of the Same. At Fort Frederick in Albany 26th July 1748.

PRESENT—His Excellency The Hon^{ble} George Clinton Esq^{r}
His Excellency William Shirley Esq^{r}
The Hon^{ble} Cadwal^{r} Colden, Ph. Livingston, Arch^{d} Kenedy, James Delancey, Col^{o} W^{m} Johnson — Esq^{rs} of His Majesties Council for the Province of New York.
Andrew Oliver, Tho. Hutchinson, John Choate — Esq^{rs} Commissioners for the Province of the Massachusetts Bay
Several Gentlemen from Boston & New York.
Several Officers of the Independent Companies & New Levies.

Brother Yehowanne,

We thank Your Excellency for condoling our losses & that you wash off our tears from our eyes, wipe up the Blood of the Slain,[1] & clear our minds that we may speak freely & cheerfully together at this place; We do the same in like manner on our parts to you.

Gave a string of Wampum

We thank Your Excellency for the regard you have had for us to come so speedy to this Conference, left Your Vessell to come by land thrô many Perils and Dangers; We are very glad to see You here, with the Commissioners from the Massachusetts Bay, who accompany you here.

Gave a string of Wampum.

We also return Your Excellency thanks for acquainting the King Our Father that some of us have made us[e] of the Hatchet ag^{t} his Enemy the French & of our Readiness in joining You this Warr; We are very glad that His Majesty is pleased[2] with our behaviour, & that it was his orders, You should join (as you tell us) wth Gov^{r} Clinton in doing what was necessary for own Defence[3] & Protection & in giving us Assurances of his care & tenderness for us & that you are now come to this Interview that you may in Conjunction with Gov^{r} Clinton give us such assurances.

Gave a Belt[4] of Wampum

Brother Yehowanne

You acquainted us that before You left Boston three gentlemen were appointed to accompany you at this Interview, who we see here present. We are very thankfull you have brought them along to assist you, it might be necessary in case any weighty affairs were to be transacted; We do for our parts renew and confirm the ancient Covenant Chain w^{ch} has

[1] *our* Slain. *New-York Colonial MSS.*, LXXVI. [2] *was much* pleased. *Ibid.* [3] *our* defence. *Ibid.* [4] a String. *Ibid.*—ED.

linked us and our forefathers together; We heartily join therein hand in hand untill death part us & Desire you to do it in like manner; We thank you that the path from Boston to our Country shall at all times be kept open & clear, that we may have free intercourse together, & often hear from each other, and we do in like manner promise on our parts that the Road from our Castles to Boston shall be open that we may acquaint each other wth what may happen, and assist on any occasion that may require. Gave a Belt.

Brother Yehowanne.

We are pleased at what you tell us concerning your complaining to the Governour of Canada, of the selling of an Indian Captive there belonging to the Government of Rhode Island, & demanding of them[1] to set him free, & return you thanks that you are mindfull to redeem our people, who are in Goal at Canada, by Your sending a number of French prisoners here, to release them, if the number Gov^{r} Clinton has sent be not sufficient & that you would write jointly wth our Governor to the Governor of Canada in a most pressing manner for 'em, that if any other of our people be taken Prisoners for the future, they might be us'd & redeem'd as Your own people, w^{ch} is very pleasing & acceptable to us. Gave a Belt.

Brother Yehowanne

The Cruell Murther Committed by the Enemy on the Inhabitants at Schinectady just before Your arrival affects us very much, & we are much oblig'd to you for your kind Approbation of our Readiness to pursue the enemy; we have done our Endeavours but they were gone a different way home from what we[2] generally us'd to do, so that we coul'd not overtake them; We promise to be always ready on the like occasion. Gave a Belt.

Brother Yehowanne.

It's true we have the War hatchet from Gov^{r} Clinton in our hands; you desire us to be always ready to make use of it w^{ch} we promise to do upon his Commands; we are fully determin'd & resolv'd as you have heard in our answer to Gov^{r} Clinton not to hearken to the French, nor go to Canada, that we may not be deluded & deceiv'd by them w^{ch} we do assure you for the second time we shall persist in; We do acknowledge to be true, as you are pleas'd to say, that the French are deceitfull & artfull to delude us, for they have always drawn off part of our Nations to live among 'em in Canada; who it's likely lately murther'd Kingego one of our Brethren of the Mohawks & we faithfully promise and engage that none of our people shall on any Pretence or Invitation of the French go for the future to Canada; according to your request, We shall not suffer Jan Coeur nor any French to come & reside among us, as you have heard we just now promis'd to our Governour; And we all the Six Nations pawn our Honour that we shall fulfill our Engagements made to our [Brother] Corlaer & You; & our Young Men shall stay at home, & not go out to fight any more ag^{t} the Flat heads while they be friends to our Brethren the English. Gave a Belt

Brother Yehowanne,

We are very thankfull for Your good advice not to hearken to the French to be deluded by them from our Duty and Allegiance to His Majesty, for we are sensible if we do we shall be undone, & then they will be able to destroy us and divide our lands; wherefore we are fully determin'd to keep firmly to Our Engagements made to our Brethren the English, & not

[1] him. *New-York Colonial Manuscripts*, LXXVI. [2] they. *Ibid.* — Ed.

hearken to their Delusions; we faithfully promise not to regard nor take any notice of them, & we shall endeavour on our parts to keep this Engagement; & as you have more skill & knowledge we desire & hope you will give Your assistance & advice to keep all our people unanimous & of one Mind.

Gave a Belt.

Brother Corlaer Waraghjago & Yehowanne
We have now done with what we had to say.

Copy (Signed) W. Shirley.

His Excellency Gov^r Clinton told them that they should receive[1] five Barrells of Beer to drink His Majesty's health, desired their Young Men to dance this Evening, & that they sho'd receive their Presents to morrow.

Governor Shirley to the Marquis de la Galissonière.

[New-York Papers, Hh., No. 18.]

Albany July 29^th^ O. S. 1748

Sir,

I am to acknowledge the Honour of Your Letter w^ch^ Serg^t^ Hawke deliver'd me at his Return from Canada.

Governour Clinton's & my sending the present Flagg of truce to you is occasion'd by the Complaints of the Indians of the Six Nations (who have been under his Majesty's protection ever since the first settlement of the English in North America, & consider'd as Vassalls of the Crown of Great Britain) y^t^ some of their Captives in Canada are kept in Irons whereupon not knowing what number of French Prisoners Gov^r^ Clinton might have collected in the Government of New York, to send in Exchange for 'em I brought w^th^ me fourteen Prisoners belonging to Old France, from my own Governm^t^ to send for the Redemption of those Indians, & we now send 'em to Montreal by the way of Oswego.

M^r^ Clinton informs me, Sir, he has so fully wrote to you upon the Right w^ch^ the Indians of the Six Nations who are expressly acknowledg'd in the Treaty of Utrecht to be under His Majesty's Protection, have to be treated as his Subjects in their Captivity, that I would not farther trouble you upon that point, but I begg leave to referr you to his letter, & perswade myself, Sir, from the humanity & politeness, w^ch^ visibly appear in the letter with which you honoured me, that if those Indians were confin'd in Irons as has been Represented to us you have upon receiving that letter ordered 'em to be released from 'em & that I need add nothing here upon that head.

As to insisting upon the Indians of the Six Nations coming in person to Canada to treat with his most Christian Majesty's Governour there for the Redemption of their Brethren, who are made Captives; as has been represented to M^r^ Clinton & me has been done, I can't but think, Sir, you will be of opinion that as those Indians are the King our Masters Vassalls, engag'd

[1] have this afternoon. *New-York Colonial Manuscripts*, LXXVI., from the copy in which volume the words and letters within brackets, in the above Indian Conferences, are added. — Ed.

in his warr, it belongs to him to treat for their release & y^{t} it is contrary to the Custom of Nations for one Prince to require the Subjects & Vassalls of another Prince to come into his Territories to treat for the Redemption of their Brethren taken Prisoners in Warr, & that such an innovation is an Infraction of the Right that every Prince has over his own Subjects and Vassalls; and I hope, Sir, (for settling this point) that you will be pleased to manifest Your concurrence in Opinion wth me by accepting the fourteen Prisoners now sent in Exchange for the Indian Prisoners of the Six Nations if Governour Clinton has not already sent a sufficient Number for that purpose from New York.

I have mention'd to M^{r} Clinton what you observ'd upon the French prisoners belonging to Canada not being sent there in Consequence of my proposal to the Marquis De Beauharnois, in behalf of his Majesty's other Governors in the Neighbourhood of New England, and he assures me he has sent all he could hear of in his Government, except some that were sent to the French Colonies in the West Indies before he had received my letter. As to those w^{ch} fall into the hands of our Indians he has us'd his Endeavours to procure 'em, & actually sent four to Canada by his Flag of Truce; & will send the others as soon as he has it in his power to obtain 'em, w^{ch} he apprehends the Report of the usage of the Indian Prisoners in Canada has very much contributed to hinder him from having.

A Report founded upon Advices from England prevails here that Preliminaries for a General Pacification are sign'd at Aix la Chapelle by the Kings our Masters and the States General, and that in consequence thereof a Cessation of Arms has been published at London & Paris, & at the Head Quarters of both Armies in Flanders: This tho' not confirmed by Instructions from his Majesty, w^{ch} M^{r} Clinton and I are in daily Expectation of receiving, seems so well grounded that in order to put an End to the Bloodshed & Ravages of Warr, as soon as possible, which we think it a Duty incumbent upon us to do; we have determin'd to withhold our English & Indian parties from committing Hostilities against the French, untill the return of our Flag of Truce, with Your answer; and we flatter ourselves, Sir, that you will be of the same sentiments with Regard to the French & Indians under Your Government.

I have inquired into the reality of the base Attempt reported to you to have been formed by some English of the Government of New York, to induce the Indians in the French interest treacherously to murder the Garrison at Crown point, but don't find any just grounds for the Report, & can't but hope from the unprecedentedness of so wild a Scheme among the English, that the Representation made of such an one to you, is either an absolute mistake or Falshood.

I have wrote to the several Neighbouring English Governours, desiring them to signifie their consent to the Proposals made by me on their behalf, & agreed between Yourself & me on the part of the Province under my Government & Canada, for a mutual Discharge of Prisoners on both sides, & to send me their Quotas of Expence incurr'd by You on account of Your Flag of Truce sent by sea to Boston, with English Prisoners belonging to the several American Governments, & some to England; but have only receiv'd answers in general, that they will ratify those Proposalls & pay their Quotas of the charge already arisen, but no farther yet from 'em as I have no doubt but I shall soon, & be able to adjust the ballance with you.—In this case, Sir, you will be pleased to make a just Allowance for the Difference between several English Governours who have Assemblies to consult in all money Matters and other Material points of Government, & Yourself who have the sole determination & Execution of these matters, so far as relates to the Country under Your Command, w^{ch} necessarily retards the proceedings of the former; However I may say in the mean time that I beleive the charges

incurr'd by my own Government on account of the Flagg of Truce I sent you by sea to Quebeck, with prisoners belonging to Canada, exceed what is due from it for its Quota of the whole Expence rising on the part of the English.

It gives me a sensible pleasure to find that the civilities w^ch^ I shew'd the Sieur Rambault were agreeable to you.

I must ask Your Excuse for anything w^ch^ I may have omitted to answer of Your letter w^ch^ I have not at present before me, but thrô my Hurry in leaving Boston to come to this place, casually left behind me; and hope you will permitt me to assure you that I am with perfect consideration, Sir, &^c^

P. S. I have no Canadeans Prisoners in my Government now, & I hope if you have any belonging to the Province of the Massachusetts Bay at Canada, that you will send 'em by the Messengers w^ch^ shall deliver this to you.

Copy. (Signed) W. SHIRLEY.

To

The Marquis De La Gallissonière, Governour General of all New France, & the Louisiana &^c^ at Quebec.

Governor Clinton to the Lords of Trade.

[New York Papers, Hh., No. 15.]

My Lords

I some time since received a Copy of an Act passed by the Legislature of New Jersey for running the line of partition and Division between that Province and this, and at the same time was informed that the Jersey Proprietors intended to Apply for His Majesty's Royal approbation of the same.

There have been many disorders committed on the Borders of these Provinces occasioned by the Lines remaining unsettled. Of some of those Disorders I had information given me by the late Governour of New Jersey by whom I was requested to join in the Settlement of the Line pursuant to Acts then and still in force in both Provinces for that purpose which I should have readily done but upon Enquiry into the matter I found that the sum of three thousand pounds formerly raised in this Province by Act of the Fourth of King George the first, had been long ago drawn out of the Treasury and paid to Commissioners and Surveyors employed in that Service, who began but never compleated the Work, and are since Dead and no other Money was ever appropriated in this Province for that service that I can learn.

I also found that all the Lands along the Line for many miles within this Province were granted away to Private Persons upon triffling Quit Rents to the owners of the lands. I referred the matter and recommended an Amicable Agreement between them and the Jersey Proprietors who held a Meeting for that purpose but nothing was agreed upon.

As it does not appear to me that the Interest of the Crown or of this Province in General are any way concerned in the Matter, but only the Pattentees of the Lands along that line, I

shall decline giving Your Lordships any trouble in the Affair, leaving it to the particular persons concerned to take such steps as they shall think proper.

Thus much I thought it necessary to say in Order to Explain the Reasons of my Conduct in this Affair, and am with great Esteem, My Lords,

Your Lordships most humble
& obedient Servant
G. CLINTON.

Fort George, in the City of
New York the 7th October 1748.

To the Right Honble
The Lords Commissrs for Trade & Plantations.

Governor Clinton to the Duke of Bedford.

[New-York. (S. P. O.) X., 623.]

My Lord Duke.

I had the honour to write to your Grace very lately by Governour Shirley's son. The other matters with which I was under a necessity of giving your Grace the trouble, prevented me from informing you that the intercourse between this Province and Canada (since the cessation of armes) being opened, I have been informed by the persons I sent to Canada for the exchange of prisoners that the French in Canada were in no condition to have made any resistance, had the expedition against them proceeded as was intended. They wanted both ammunition and arms to make any defence, and therefore had resolved to capitulate upon the appearance of His Majesty's forces. The same has been confirmed by the French Officers sent to me from the Governour of Canada for the like purposes I sent to him. I am very well assured by our prisoners who returned as well as the messingers I sent to Canada that our Indians had laid waste a greater part of the Frontiers of Canada and obliged more of their farmers to abandon their settlements than had been done by the French Indians in this Province.

I am likewise informed that all the numerous nations to the Westward of the English Colonies, are exceedingly dissatisfied with the French, that they have killed several of the French traders, and had blocked up the small forts the French had among them & killed several of their soldiers.

This was owing to the English selling goods more than one half cheaper then the French did, and by the French endeavouring to hinder the Indians from trading with the English. I had certain intelligence of this above eighteen months ago, and I was desirous to have sent a sufficient force to have destroyed the French fort at Oniagara, being assured of the assistance of the Indian Nation to the Westward of that Fort, which obstructed the intercourse with the English traders. I appointed Major Rutherford, (one of the Captains of an Independent Company) to command on that service. But the faction resolved to oppose all my measures, especially such whereby they thought I would gain any reputation, forced me to lay aside this design. The French in Canada are in the utmost distress for want of goods to trade with the Indians at this time, which I should have made the best use of in my power for promoting the English trade and interest amongst those numerous nations, if the Assembly would have

given any assistance, but they are so far from this, that the faction are now strengthning their interest by incouraging a direct trade to Canada, whereby many in this place can gett more speedy profitts then can be so soon got by the trade with these distant Nations. These, with many other instances shew the necessity there is of strengthening the hands of His Majesty's officers, and freeing them from the undue influence which the Assembly has assumed over them and of which, I more particularly informed your Grace in my former letters.

Assoon as the present Sessions of Assembly shall be over, I shall lay their proceeding before your Grace, and which I believe your Grace will think deserve your attention. I am with all duty and respect, My Lord Duke,

Your Graces most humble

Fort George at New York
20th October 1748

and most obedient Servant
G. Clinton.

To His Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 17.]

My Lords,

I have in my former letters inform'd Your Lordships what Incroachments the Assemblys of this Province have from time to time made on His Majesty's Prerogative & Authority in this Province in drawing an absolute dependence of all the Officers upon them for their Saleries & Reward of their services, & by their taking in effect the Nomination to all Officers, as will appear from former acts, which I formerly mentioned, and by two Acts the printed copies of which I send Your Lordships, and one Entitled "An Act to make Provision for several services &c and an Act for the payment of the salaries, services & contingencies therein mentioned &c"

That Your Lordships may the better comprehend the Methods which the Assembly have taken to draw unto themselves the executive powers of Government I must observe to Your Lordships.

1stly That the Assembly refuse to admit of any amendment to any money bill, in any part of the Bill; so that the Bill must pass as it comes from the Assembly, or all the Supplies granted for the support of Government, & the most urgent services must be lost.

2ndly It appears that they take the Payment of the Forces, passing of Muster Rolls into their own hands by naming the Commissaries for those purposes in the Act.

3rdly They by granting the Saleries to the Officers personaly by name & not to the Officer for the time being, intimate that if any person be appointed to any Office his Salery must depend upon their approbation of the Appointment.

4thly They issue the greatest part of the Money granted to His Majesty without Warrant, though by His Majesty's Commission to me it is directed that all Monies raised by Act of Assembly, shall be issued from the Treasury by my Warrant & not otherwise.

5thly They have appointed an Agent for the Colony who is to take his Directions from a a Committee of Assembly (exclusive of the Council & of the Governour and to be paid by Warrant from the Speaker of the Assembly.

6thly In order to lay me under a necessity of passing the Bill for payment of the Officers Saleries & Services in the manner the Assembly had formed it, they tackt to it the payment of the Forces posted on the Frontier for the Defence thereof, so that I must either pass the Bill, or leave the Colony defenceless, & open to the Enemies incursions.

This last laid me under great difficulties, in refusing my Assent, & therefore I took the Advice of His Majesties Council for this Province, as to what may be proper for me to do on this occasion who advised me, from the present urgency of affairs, to give my assent to the Bill.

But as by the prospect of a General pacification I am in hopes to be freed from the difficulties the Assembly has from time to time (since the rupture with France) laid me under in their making Provision for the Defence of the Country: I must now referr it to Your Lordships consideration whether it be not high time to put a stop to these usurpations of the Assembly on His Majesty's Authority in this Province, and for that purpose may it not be proper that His Majesty signify his Disallowance of the Act at least for the payment of Saleries, though it have already in most parts taken its effect. There seems the more reason for this because the appointment of an Agent (exclusive of the Governour & Council) may be construed a perpetual clause, or at least may give ground for their insisting on the like clause in all future Acts of Assembly, & for their likewise insisting on the same Method of supporting the Government. And I must in General beg of Your Lordships to take under Your serious consideration what Instruction or other Method may be necessary to put a stop to these perpetually growing Incroachments of the Assemblies of this Province, on the executive Powers intrusted with me and his Majesty's other Officers. I am with the greatest regard,

My Lords,

Your Lordships most humble
and most obedient Servant
G. Clinton.

Fort George, at New York.
20 October 1748.

To
The Right Honble The Lords Commissioners
of Trade and Plantations.

Governor Shirley to the Duke of Bedford.

[New-York, (S. P. O.) X., 680.]

(Copy)

Boston N. England Octr 24. 1748.

My Lord Duke.

I am honour'd with your Grace's letters of the 7th of May, 28th of June and 9th of August last, and have caus'd due obedience to be paid within this Province to His Majesty's commands signify'd to me in 'em; as also with another letter from your Grace of the 10th of May, acquainting me that His Majesty does not consent that the soldiers which were rais'd for the late intended expedition against Canada should retain their arms, and directing me to use the proper methods for recovering 'em from them, and to have 'em return'd into his Majesty's

stores as soon as possible. In answer to which I beg leave to inform your Grace that before the soldiers were paid I oblig'd 'em either to return their arms or made a deduction for the cost of 'em out of their pay, except as to those who had lost 'em by inevitable misfortune in actual service; and as to such part of the arms as is return'd, I have furnish'd the soldiers whom M^{r} Knowles and I, by His Majesty's orders, sent from hence for the protection of Nova Scotia and part of Gorham's Independent Company of Rangers there, out of 'em (there not being spare arms in His Majesty's garrison at Annapolis Royal, as I was informed, for that purpose) and the remainder are lodg'd in His Majesty's Castle William for his orders; which I hope will be approv'd of.

I have also to acquaint your Grace that I shall soon be able to transmit such part of the accounts of the late expedition against Canada as I can collect from the several Governments concern'd in it, liquidated and adjusted, to your Grace, pursuant to His Majesty's orders signify'd to M^{r} Knowles and me, in a letter from his Grace the Duke of Newcastle dated the 30th of May 1747. whereby we are directed to collect those accounts and to transmit 'em liquidated and adjusted, with the proper vouchers in order to be laid before the Parliament that provision might be made for payment of 'em. And I trouble your Grace with the mention of this, here, because I am informed that the governments of Rhode Island and Connecticut have, by their Agents, offer'd the bills at the Treasury or Paymaster General's Office for the amount of the expence charg'd by them to the Crown on account of that expedition, which if they are paid before your Grace receives the account as it is liquidated and adjusted here, may occasion the payment of a considerable sum, which you may possibly be of opinion ought not to have been allow'd those two governments, and very probably it may be the same case in respect of other governments:—Wherefore I think it my duty to apprize your Grace of it, to prevent any premature payment. I am, with the most dutiful regard, My Lord Duke,

Your Grace's most humble and
most obedient Servant

His Grace the Duke of Bedford (signed) W. Shirley.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 18.]

Fort George at New York 30th Oct^{r} 1748.

My Lords

I have Duplicates of Your Lordships pleasure of the 8th and 29th of June (the original whereof have not come to my hands) I hope Your Lordships will excuse me if in anything I have not so punctually answered Your Expectations, in the directions you have formerly as well as now given me. At this Instant I have the Assembly Affairs upon my hands, But I hope after this in time of peace to convince Your Lordships with what dilligence I persue Your orders by my punctual Obedience to them.

I am much obliged to Your Lordships for the regard you have had to the letters and confirmations I formerly sent you, particularly relating to the unhappy differences that have

arisen in this Province but by the list you now send me of the papers, and letters which Your Lordships have received from me I find one material paper has not come to Your hands, and which would have served as a key to the others. I cannot imagine how this has happen'd since I sent Copies of it by several conveyances, It was *The Present State of this Province*, the loss of which I shall now endeavour to make up.

I hope, My Lords, when you shall attentively consider the difficultyes I had to strugle with especially from a violent faction formed with a view to distress me, and to wrest the administration out of my hands or to turn me out of it, or otherwise to throw all into confusion by the calumnies which that Faction endeavour'd to raise & propagate on me, and on every person who assisted me in supporting His Majestyes Prerogative in the exercise of the Powers and Authorities which his Majesty has committed to me, and when you consider what condescension I have made, and with what patience I have on many occasions bore the insolence of this faction I hope Your Lordships will be perswaded that I have used all the moderate measures in my power to reconcile these differences, and that the Obstinacy of the Faction cannot otherwise be overcome but by His Majestyes exerting His Authority.

I have neglected no Opportunity of taking the most proper persons to assist me with their advice in order to form the most prudent measures for my conduct in carrying on the publick service. And for this reason when Mr Shirley came this last summer into this Province on a particular service directed by His Majesty; I took that opportunity of informing him of the present State of this Province, and he had frequent opportunityes likewise of conversing with several of the principal persons in this place without distinction of party. After mature deliberation I now persue the measures which he advised me to take with the present Assembly, which will appear from my Speech to the Assembly, a Copy of which I now send, Mr Shirley likewise advised me to recall Mr Colden to my Assistance, who had from the beginning of December last retired into the Country, and not intermedled in publick Affaires, and Mr Shirley joyned with me to perswade Mr Colden to attend the Council, and to give me his assistance in private, which he was desirous to be excused from since it appear'd what malice he had incurr'd and that the little regard that had been had to his past services which he had gone through with great prejudice to his private Affaires.

Your Lordships will perceive from the Assemblyes Address as they call it with what obstinacy they continue in their former resolution, and the malice which the faction bears to Mr Colden, I perswade myself that this malice of the faction will convince Your Lordships of Mr Colden's good character, since they have not been able to point out one single Act of his mis-behaviour, notwithstanding that the virulency with which they treat him, and which they have shewn on several occasions, and gladly would they lay hold of the least slip in his conduct in life, whether publick or private, were it in their power; But My Lords some Minutes of Council which particularly relate to Mr Colden, and Mr Chief Justice and which I send to Your Lordships will enable you to judge of the characters of both of them, and lead you to the fountain from whence all the opposition I have mett with arises, in order to distress the Administration.

I hope the Message I sent to the Assembly in answer to their paper, call'd an Address, will shew with what moderation I endeavour to conduct myself. I must inform Your Lordships, thó I declined receiving that address for the reason given in my message to the Assembly, that I would carefully transmit a copy of it to His Majestye's Ministers, they have published it in their minutes from whence a natural conclusion follows that they do not dutyfully wait for His

Majestye's determination in differences between His Majestye's Governour and them but would sett up the people as the dernier resort: A dangerous scheme in all Governments, but, as I think, in a dependent state unexcusable, They are not satisfied with this but by their Resolves of the 26th they not only claim all the powers and privileges of Parliament but in effect say that if they have a mind to spit in their Governour's face he shall not have the liberty to turn it aside. I shall take no further notice of these resolves in this place, but leave them to Your Lordships reflections.

Upon the whole I perswade myself that Your Lordships will think it necessary to consider of proper methods to preserve His Majesties Authority, in this Province, which will give an Example to, and Influence, all the others by freeing the Governour, and all the King's Officers from an undue dependence upon Assemblyes and by encourageing those who persist in their Duty, especially when exposed to the malice of a virulent faction. I am with very great Regard, My Lords,

Your Lordships most obedient
and most humble Servant.
G. Clinton

To
The Right Honourable
The Lords Commissioners of Trade & Plantations.

The Present State of the Province of New-York.

[New-York Papers, Hh., No. 20.]

First. December 12th 1746.

Since Mr Clarkes Administration two several Acts are annually passed, one by which several taxes and dutys are granted to the King for support of the Government of this Province, the Monies thence arising to be lodged in the Treasury of this Province, & not to issue them otherwise than by Act of the Governor, Council and Assembly: By the second Act the Money is annually issued, granting to the several Officers by name with an Additional title of their Office, certain Salaries, & Rewards for their contingent Services, & this from the Governour in Chief to the lowest Officer in Government: neither can the Governour otherwise reward any Contingent Service.

Before Mr Clarke's Administration the support of Government was usually granted for five Years at the arrival of a New Governour, & continued afterwards during the same Administration usualy by a grant of three years at a time, and there was no particular application, other than of a general sum for the annual support of government, according to an Estimate laid before the Assembly, before passing the Act.

The pretences for this Alteration were misapplication of publick Money in former Governour's times and for this they must go back as far as the time when Lord Cornbury was Governour, in the first years of the Reign of Queen Ann; as to all others it is a dispute with honest and wise men whether there were not just & proper applications of the Money, & all of them

inconsiderable, except a perquisite claim by Mr Walpole, Auditor of His Majesty's Provinces in America and which first of late gave rise to the complaints on this head.

By this method of annexing the Salaries to the person by name, if a Governour die or leave the Government the person on whom the Administration falls is deprived of all Salary & support 'till such time as the same be settled by a new act, & if the Presidents lately established be followed, the person on whom the Administration devolves must bargain (& perhaps in prejudice to the Prerogative of the Crown) before he can receive one farthing; The same as to any other Officer, the Salary of the Office ceases till such time as a New Salary is established by Act; & therefore if any person be appointed however he be qualified, & faithfull to the King, if he should happen to be disagreable to a ruling faction in the House of Representatives, he may starve: By the same means the Governour is Deprived of the Exercise of the Authority of removing an Officer that may fail of his Duty to the King if he should happen to be a favourite of the ruling faction; for in that case his successor must starve to use the words that have frequently been made use of on such like occasion.

From such like Instances & the apparent Influence of the Assembly in these Cases, the Ruling faction has obtained in effect the Nomination to all Offices, and they have become even so insolent that they have in the Bill for payment of the Salaries, &c removed one Officer's name & put in another without consulting me, & the Speaker in presence of the Council & Assembly, had the Assurance to tell me that they had thought fit to remove such an Officer, & put another in his place, and thereupon added, Please to order the Secretary to make out a Commission accordingly.

By these Means all the Officers of the Government are become dependent on the Assembly, & the King's prerogative of judging of the merit of his Servants & of appointing such persons as he may think most proper is wrested out of the hands of his Governour of this Province, and the King himself (as far as in their power) deprived of it. The Assembly carries matters in this case to such a length that they call these Bills for payment of Salaries & other Contingencies, Money Bills, to which they will not allow the Council to make any amendments & a Governour must either take it as it comes from them, or he & all the Officers of the Government must remain without Support. The effect of this Influence of the Assembly & the Officers of Government are on all occasions very remarkable & every man in this place is sensible of it. One remarkable Instance happened at this time: The King's Printer for this Province was by my order printing an account of the Treaty I had at Albany with the Indians, as I beleived the publication might be of use on several accounts, he had gone so far as the last sheet, & had set part of that sheet, when the Assembly made the Representation to me: The printing of this being unexpectedly stopt the reason was required the very next day after the Representation was made, His Answer was that the Assembly had ordered their Representation to be immediately published & he could do no other business 'till that was done, my name was used to perswade him since it could not delay that publication above one day, he answered he received his money from the Assembly, he was their Printer, and must serve them, & he accordingly did, & he would not publish my answer to that Representation in Eight days after it was made, though in the mean time he published the abusive Resolve of the 8th of November.

But this is not all, they have likewise assumed to themselves the directions of all the Fortifications & the Appointment of Gunners, & have given the custody of all the publick Gunpowder in the Province to an Officer named by themselves, so that I can not command a single pound, while the Speaker has (by his Warrant only) delivered out Gunpowder to a

particular person without my knowledge, or the consent of the Council; so that they have as much as in them lyes deprived the King of his Military Power, and disabled the Governour of this Province, from making such Defence as he may think requisite, and even in some measure put it in the power of a Faction to deliver up the Country to an Enemy.

In the fortifications they have every where employed Men intirely ignorant of the art, who have no more pretence to knowledge than the meanest Plowman, and have squandered away large sums of money with no other view than can appear, but in being usefull to Relations, or to such Persons as they thought could serve them in future Elections. The works have been so manifestly absurd that they have been in most places altered, & rebuilt at their own desires. In making repairs to the Fort, which not only Defends this town, but likewise the principal Battery at the entrance of the Harbour, they refuse repairing the side next the town, and even left the Guns dismounted on that side; There can be no reason assigned for this, but a malicious insinuation that the town may be in Danger from a Governour whose Residence is in the Fort; Yet as the Town is open the Fort may be more easily attacked from the Town than any other way; and as soon as an ennemy getts possession of the Fort, all the Batterys must fall into their hands, because the Fort commands them.

To shew further how much there was a Design to take the powers of Government & particularly the power of the Militia out of the Governour's hands, the gentlemen of the Council who remained in New York, several of whom refused to attend me to Albany, took upon themselves (except M^{r} Kenedy who refused to join them) a power independent of the Governour by stiling themselves the Council, & issuing out orders in that stile in my absence, & without my knowledge; & that not only in Civil Affairs, but in the Military, some of which orders were actually delivered to the several Officers two days after it was publikly known that I was returned to this place, and this was done without communicating them in any manner to me. vide paper N^{o} in which I charged them in open Council with this, & some denyed the truth of the Fact; so that at that time two Councills of State, one present with me and acting with my knowledge, & another without my knowledge & perhaps contradicting that where I was present, could as they would have it exist lawfully at the same time.

Beside all this many things were done in order to disable me from executing any Plan that was concerted for the Annoyance of the Enemy by endeavours to impress on the minds of the People an ill Opinion of the Measures concerted with Governour Shirley & Admiral Warren, for the purpose and an Endeavour to deprive the Forces of the use of their provisions, for a proof of which see the Representation of the Assembly, their Votes of the 8th of November and the account of what passed with respect to the Provisions, when the Forches marched from Albany.

In order more perfectly to conceive what power a small faction may obtain, it must be observed that the Assembly of this Province, as all the others in North America, consists of ordinary Farmers & Shop keepers of no education or knowledge in publick Affairs, or the World, & in this Province the greatest numbers are Foreigners, or of Foreign Extract, many of which do not understand the English Language and are generaly led by some cunning Attourney or Reader of pamphlets.

In order to establish a greater power of this faction at this time a Bill passed the Council & Assembly this Session, constituting tenn of them perpetual Auditors of the publick accounts of this Province, without Limitation forward, and without any particular direction of the Act for their method of proceeding, by which they might become dreadfull to almost every Man of

this Province, who had received or paid in any publick Money, and to the Heirs of such, which it is well known must extend to almost every family in the province.

The Reasons of Disposing the Forces at the Carrying Place.

Having in August & September last concerted measures with Mr Shirley & Mr Warren whereby a great part of the forces levied in the Massachusetts Bay were to join with the Forces which rendezvous'd at Albany and with the Forces at Connecticut, in order to reduce the French Fort at Crown Point, the March of the New England troops was unexpectedly stopt by the appearance of a French Squadron on the coast of Nova Scotia but I had no account of this till after I left Albany, It was agreed that Mr Waldo should command the united forces, and for that purpose was to come to Albany with all speed when I waited a fortnight or three weeks for his arrival without any account of what had stopt him 'till I thought the season of the year was too far advanced to begin such an Enterprize; then I ordered the forces that were at Albany to be posted in such manner as I thought would best facilitate the Enterprize, if it should be afterwards undertaken, and at the same time secure the Frontiers, during the Winter. For this purpose I ordered a Wooden Fort of Palasados & Block Houses in place of Bastions to be built, capable of containing 500 men at the carrying place about tenn or twelve Miles from the Independent Companies, where a Garrison has been kept all this summer. The particular Reasons for this place were, that it is a Pass, at which, in case of any attempt on Canada by Land, a Fort must be built to secure the Communication between the Army & the Northern Colonies, By this likewise Incursions from Canada would be prevented, for as they must come near this Fort, they could hardly escape being discovered either in their going or returning, and the distance from this Place to the Place from whence every thing may be carryed by Water to Canada is only twelve Miles, so that by carrying the Artillery, Ammunition & other things of greatest burthen at such times and in such manner as may be easiest, & which in this Country is commonly in the Winter Season every thing could be prepared for a sudden Eruption into Canada, on the proper season; But by the reason of the obstructions I mett with I was obliged to drop this design.

It can hardly be imagined that the People of this Province do not wish well to the Expedition against Canada, I am perswaded they generaly earnestly desire it, and many think it cannot be purchased at too dear a price, and are willing to contribute to the utmost of their abilities, Yet there are Instances of Men, who are no Fools, doing most unacountable things to satisfy their passions, besides this Country is as little proof against bribery as others, and when Men have lost all sense of Virtue, as Indian Traders certainly have, and have only money and proffitt in view, they become an easy purchase, as the French Indians were dayly in sight of Albany, it is impossible to prevent a Correspondence with them by the help of our other Indians, and since a Correspondence between the French and their Old Acquaintance the Traders of Albany became so easy, it is hardly to be thought that the French would neglect a matter, which would turn so much to their advantage.

Governor Clinton to the Duke of Bedford.

New-York, (S. P. O.) X., 631.]

My Lord Duke.

In my former letter by Governor Shirley's Son, I gave your Grace the state of the publick affairs of this Province, and the measures I had resolved to follow during the Sessions of Assembly at this time. As Governour Shirley while he was in this Province last summer did fully inform himself of both persons and things relating to this government, I gladly laid hold of that opportunity to consult him minutely, while we were together, on the measures which might be proper for me to persue in the Administration of government, and I assure your Grace that I have his approbation and advice as to the methods I now take. This I have thought proper to mention to your Grace, because I thought him in many respects the most proper person I could advise with, and to take off the effects of an insinuation published by the Assembly that I am influenced by one person only

Your Grace will perceive from the speech I made to the Assembly, the Address (as they call it) intended to be made to me, and printed in their votes, and in the publick newspaper, and from my Message to them thereon, and the resolves they entered into in consequence of that Message, copies of all which I transmit to your Grace in the printed votes of the Assembly and I humbly submit to your Grace with what moderation I proceed, on the other hand in what manner a violent faction in the Assembly continues to insult the character of His Majesty's Governour of this Province and to insist on the userpations they have made on the Royal Prerogative and the executive powers of government, and in place of applying to His Majesty for redress if any grievances they may pretend to be under, apply to the people, with a view to sow discontent, to raise tumults and to throw the country into confusion, while they know they have reduced the strength of the Administration to the lowest ebb, and therefore think it in no condition to oppose them.

But my Lord the violence of the faction begins to defeat their measures, some in the House oppose them, and the generality of the people without doors blame their proceedings. Were it not for fear, or rather terror, which many are under from the violent and insolent temper of the head of the faction (Chief Justice De Lancey) and of a few other men of the like temper who espouse his interest, the Administration would soon, now in the time of peace recover it's former strength.

Chief Justice D'Lancey's conduct makes all men affraid of the power he has by his office, and of his resentment, and to which every man in this Province may in some way or other be subjected. This terror is heightened by his appointment to be Lieutenant Governour; for if the Administration should come into his hands, no relief can be had when the powers of Governour & Chief Justice are united in the same person; or if he should appoint another to execute the Office of Chief Justice during the time has the administration of government, he may appoint one of those tools that now serve his ambition and resentment; and no man doubts that M^{r} Horsmanden would be the man, who has been guilty of perjury, which M^{r} Catherwood my Secretary (who has the honour to deliver this to your Grace) can prove, and the person who has drawn up the addresses, representations remonstrance and Messages of the Assembly, and is a fit tool for the worst purposes. But if people were once freed from that fear they are under from the Chief Justices' power, it would soon appear that he has no love

or esteem to support him. Some of the principal members think it most prudent to absent from the Assembly at this time, and others to keep silent, and very few dare oppose according to their inclinations. But my Lord if His Majesty shall think proper to order me to suppress the Commission of Lieutenant Governour which I had orders to deliver to him only some time before I leave this government and His Majesty pleased to declare his disapprobation of the proceedings and userpations of the Assembly on the Executive powers of government, together with such instructions as shall be thought proper for inforcing His Majesty's authority in the hands of his Governour, I make no doubt but the faction will soon fall to pieces.

But for these purposes it will likewise be necessary that M^{r} Horsmanden and M^{r} Bayard whom I have suspended from their seats in Council, be removed from His Majesty's Council for the reasons I have given, and that M^{r} Alexander be restored to the seat he formerly had in Council, and M^{r} Hollond whom I have taken into Council (the number of Councellors in the Province being less than seven) be confirmed, and M^{r} Schuyler appointed in the room of M^{r} Courtland deceased.

There is but one thing My Lord that I can imagine to support M^{r} Chief Justice De Lancey in the views he has formed to himself, to wit, he presumes on the personal interest which he pretends to have with the Archbishop of Canterbury and Sir Peter Warren, & which he had the assurance to tell me to my face was better than my interest. And it is from this boasting of his interest that he only keeps up the spirit of faction. But my Lord, what a cruel hardship would it be on me or any Governour if interest should prevail in such a case as this; that I should deliver powers to an insolent declared enemy, to succeed me in the administration; to that person, who after having deceitfully gained my confidence drew me into making those concessions to the Assembly which he afterwards made use of to distress my administration and to make me tired of it, in order to obtain it for himself. He obstructed all my measures by which he thought I would gain reputation and particularly in those of annoyance of the enemy; by one of which, if I had not been prevented, I would have so effectually destroyed the French inland trade and their influence over numerous Indian Nations, that they could not have recovered it in many years, if ever. I mean by destroying their Fort at Oniagara, the pass by which the communication between Canada and Missisippi is maintained, and what is now evident could easily have been effected by the forces of this governnment alone.

My Lord, I think I have sufficient grounds in pursuance of the powers granted me by His Majestyes Commission to have suspended M^{r} De Lancey from the office of Lieu^{t} Governour. But since his Commission is not as yet delivered to him, I choose to retain it in my hands, and to wait His Majesty's pleasure. I am confident it was sent to me, with design that I should retain it from him if I thought it for His Majestyes service so to do, and not to mortify me by obliging me to do a thing so disagreable to me. But if any incident, after this should make it necessary for me to suspend him, I do not doubt but the reasons I have formerly assigned and now give for the suppression of his commission, will sufficiently justifie me for so doing. I am even perswaded that your Grace will be of opinion after you have considered what I now write togather, what I had the honour to represent to your Grace in my former letters with M^{r} Shirleys, that he ought to be divested not only of this, but of all offices of power, and trust.

It can be of no purpose for me to meet the Assembly of this Province after this, till such time as I shall have received His Majesty's instructions on the matters which I have formerly

and now submit to Your Grace; and therefore I must beg to know His Majestyes pleasure. I am with the greatest of respect, My Lord Duke

Your Graces most obedient
and most humble servant
G. Clinton.

New York
30th Octr 1748

His Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 19.]

Fort George in New York 15th Novbr 1748.

My Lords.

The Sessions of Assembly being now at an End I shall at this time Give Your Lordships some account of the Bills to which I have given my Assent, & others which had passed the House of Assembly, but had not passed the Council, when I thought it for His Majesties service to put an end to the Session by a Prorogation to March next, begging leave to refer Your Lordships to my last of the 30th of last Month, & my preceding letters, as to the other Matters which I think of great consequence to His Majesties service in this Province.

The Bills which I have given my assent to are

1st The Bill entitled, *An Act further to continue an Act entitled An Act for and towards supporting the Government of the Colony, by granting to His Majesty the Dutys therein mention'd from the 1st day of December* 1740 *to* 1741. This bears the same title with the Acts by which in the time of my predecessors the Assembly granted Money for the support of His Majesties Government of this Province, and by which the monies arising by it were directed to be paid by Warrants, signed by the Governour in Council to the Officers for their Salaries & for contingent services. But by this Act the Monies are to remain in the Treasury, till issued by some future Act of Governour, Council and Assembly. I gave my assent to this least the Duties granted for support of Government should cease.

2ndly The Bill entitled *An Act for the payment of the Forces on the Northern Frontiers.*

I was under a necessity of giving my Assent to this Bill, otherwise the Forces raised in this Province for the Defence of the Frontiers must have dispersed without payment of several Months Arrears which might have occasioned mutiny and other disorders; though I had strong objections to the Bill as 1st the Paymasters were appointed by the Bill without my nomination, & are persons notoriously disaffected to me. 2ndly The Money by the Act is directed to be paid to every private Soldier and not the Captains as usual, By this those Gentlemen who have been most zealous in the Service, & for keeping their companies compleat are likely to be great sufferers by having advanced both money & provisions for their Men, in order to keep them together & to their Duty; during the time the Assembly had granted no supply for that purpose while others suffered their Men to disperse and go to work. And 3rdly They did what they could to prevent the filling up and compleating the Independent companies in His Majesty's Pay, for after it was known that the forces in the Country pay were to be disbanded it is

probable the Captains of these Companies then posted at Albany made use of that opportunity to compleat their Companies as the private men in them were under great discouragem^{ts} by their having only half the pay which those in the Country pay were allowed, & had no provisions allowed them while the others were allowed full provisions from the Assembly besides their Pay, & this occasioned frequent Desertions, This Shews how unwilling the Assembly is, to have any power or force in this Province, independent of them.

3^{rdly} An Act entitled *An Act further to continue an Act entitled An Act to support the Garrison & Trading House at Oswego with some additions thereto.*

This Act is necessary for preserving of the Garrison at the Trading House of Oswego, on which the beneficial fur-Trade of this Province depends. But in it they have introduced an Innovation, which it is not easy to conceive for what purpose it is done. (viz.) That the Forfeitures in that Act shall be sued for in the name of the Commissioners though the money be granted to the King. I cannot guess for what purpose this is done, unless it be to keep up a distinction frequent among them of the King's service & the Colony's service, the King's money and the Colony's money, the King's troops and the Colony's troops, the King's Officers & the Colony's Officers &c.

Nothing Material occurs to me to be observ'd on the other Acts to which I have given my assent.

As to those Bills which were prepared, but not ready for my assent, by passing the Council, I shall only observe upon two of them: The first is entitled *An Act for defraying several contingent charges of this Colony & other purposes therein mentioned.*

On which I beg leave to observe,

1st In the title the Assembly avoids making these charges to be made for His Majesty's service but of the Colony, though the money out of which they are to be paid is granted to His Majesty.

2^{ndly} By His Majesty's Commission to me, by virtue of which only the Assemblies of this Province are impowered to make Laws, all money levied on His Majesty's subjects of this Province, by force of any Act passed by the Governour, Council and Assembly is to be granted to the King, & to be issued by the Governour's Warrant. Yet by this Act all the payments directed by this Act are to be made without any warrant from the Governour for that purpose.

3^{rdly} The Assembly in order to gain an undue influence over His Majesty's Subjects, have granted rewards, & allowed of charges to particular persons who were not employed by me on mere pretences of services, & to two of their own Members no less than the sum of Seven Hundred & two pounds while at the same time they have neglected to provide or pay others, who were employed by me for real services, & even to neglect to repay money advanced by a person I employed at their request, & for which they particularly gave a Vote of Credit (viz.) for sending persons with twenty five French Prisoners by Land, before the Cessation of arms was known, to be exchanged for Indian and other Prisoners of this Province then in Canada. And on this occasion I must observe that I am not allowed one single farthing by way of Advance for any contingent Service in the Administration of Government; But all such charges must be undertaken in trust that the Assembly will afterward repay it. A hardship which I believe no other Government is laid under.

4^{thly} I received an Instruction from His Majesty to recommend to the Assembly to pass an Act on Vessells trading to this Province to pay a Duty of Tunnage in Gunpowder for supporting the Magazines of Gunpowder in this Province, which they refused to comply with. But having

by some former Acts, purchased a quantity of Gunpowder, which they placed under a Storekeeper of their own appointing, they have by this Act directed all this Gunpowder to be sold, & the money thence arising to be applyed to the payment of the several charges allowed in this Bill, And notwithstanding this I have not a single pound of Gunpowder allowed me, either for the Defence of the Province, or otherwise, but even the charge of every Gun fired on publick occasions, such as Birth Days, & other Salutes, must be at my private Expence.

The next Bill to which I have not given my Assent is entitled, *An Act for the payment of the Salaries, Services & Contingencies therein mentioned untill the* 1st *Day of September* 1749

This was the last Bill as usual sent to the Council from the Assembly, & in the same terms on which the former of the like kind were, and after which they had no more bussiness before them. As to the reasons for my refusing it I think it Sufficient to refer Your Lordships to my Speech on the 14th of October last.

This leads me to take notice of the most disrespectfull Address which the Assembly made in return to that Speech, & of their Resolves on my refusing to receive that Address all which are in their printed Votes, which I transmit to Your Lordships.

In that Address (as they call it) they endeavour to instill on the minds of the People the worst Opinion they can of my Administration, under pretence that I am influenced by one single person. No man in this Country doubts of their meaning Mr Colden by that person. They charge no one fact on Mr Colden, but his advising me to make that Speech I must submit to Your Lordships what blame & censure he deserves for such Advice And whether he deserves by his advising me to give the Answer I did, on my refusing to receive that Address, the character of being an Enemy to the general Assembly, & People of this Province and that thereby I had broke my solemn promise and violated their Rights and Priviledges.

I must at the same time take notice of a complaint made by Mr Colden against Mr Chief Justice De Lancey, a Copy of which with Mr De Lancey's answer & Mr Colden's Replication I likewise transmit to Your Lordships. Your Lordships will perceive in what general terms the Cheif Justice calumniates Mr Colden's character in the same manner the Assembly have often done mine as well as his, in such a manner that no man can defend himself because no particulars are assigned to which an Answer can be given, a manner of accusing that no man of sense & of the least probity would have taken, & in a manner that none can doubt of the Malice from whence it proceeds, & which gives the strongest evidence that can be given of the good Character of the person calumniated; For where such a willingness appears to point out faults, & yet none are pointed out, what stronger proofs can there be that none can be found. Matters are now brought to this pass that if the Administration does not exert itself all honest Men are in danger of being intimidated, or at least discouraged in doing their Duty, & others emboldened in the worst practices to its prejudice. I have been long sensible of the bad effects of the patience I have had, & which chiefly arose from my unwillingness of doing anything on my part which might be to the prejudice of His Majesty's service in time of War. But now that we have peace I can see no difficulty in doing what may be necessary for the preservation of His Majesty's Authority in the hands of his Governour of this Province.

I think it needless for me to trouble Your Lordships with any Remarks upon the other Bills at this time; My Secretary, Mr Catherwood will deliver this to Your Lordships, who I hope will be able to give Your Lordships any further Information that Your Lordships may desire, on the subject matters of this & my former letters. And I must beg of Your Lordships to put no delay in preparing such Instructions, as the matter I have laid may require, for 'till I shall

receive His Majesty's Instructions in relation to the matters in Debate, between the Assembly & me, it can be to no purpose for me to meet an Assembly of this Province. And 'till the insolence of Mr Cheif Justice be removed it is impossible that the Council can be free in their advice, or of that use for which they are designed by His Majesty.

I have been a good deal out of Order lately which obliges me to make use of another hand. I hope Your Lordships will excuse it, being with the greatest respect, My Lords,

Your Lordships most obedient
and most humble Servant
G. Clinton.

To
The Right Honourable
The Lords of Trade & Plantations.

Mr. Colden to the Duke of Bedford.

[New-York, (S. P. O.) X., 647.]

New York Novr 22. 1748.

My Lord Duke.

I should not have presumed to have troubled your Grace with any thing personal to myself, if they, who are the authors and supporters of the publick dissentions against His Majesty's government in this Province, had not thought it proper to distinguish me personally in the opposition they make. I prætend to no further notice than as your Grace shall apprehend His Majesty's service in this government to be interested in it, after you shall have read what follows. I have been above 26 years in His Majesty's Council for this Province. I have presided in two several Commissions His Majesty sent to determine disputes which had arisen in the New England Governments. The judgement given in one of them has been confirmed by His Majesty. The appeal on the other, so far as I know remains undetermined. I have been principally intrusted in disputes which have arisen between this & the neighbouring Governments. I had the Chief part in quieting the violent dissentions which happened in the beginning of Mr Clark's administration; for Mr Clark was so far dispirited by the opposition made to him & by a distemper which the vexations he met with brought upon him, that he chose to put the entire conduct of the publick affairs into my hands at that time. Notwithstanding that Mr Chief Justice De Lancey was at the head of the opposition to Mr Clark an alliance between our families was soon after proposed to me & concluded,[1] on which the De Lancey family gave all the outward marks of their satisfaction that it was in their power to do. We continued in friendship & Mr Chief Justice receiv'd some signal marks of friendship from me, till the present dissensions with Mr Clinton began about two years since. Instances are not commonly found when men are able to conduct themselves through a variety of publick affairs

[1] Peter de Lancey, of West Farms, Westchester county, commonly known as "Peter of the Mills," 2d son of Stephen de Lancey and brother of the Chief Justice, married Elizabeth (Bolton, says Alice), daughter of Cadwallader Colden. He represented the Borough of Westchester from 1752 to 1768 in the Provincial Assembly, and died at the age of 63 years. He was the ancestor of the Westchester branch of the family. *De Peyster Genealogy.* — Ed.

for many years, and at times when violent dissensions prevail, so as to give no hold to any who is desirous to lay hold of every thing that can be turn'd to their prejudice; yet, I hope, my Lord, that in this case I may be allowed without præsumption to say, that the conduct of my adversaries is such as to evince to the world that they would take advantage of every step I have made, & that they have not been able to find any to lay hold of. For they cannot be so destitute of sense that they would lay the whole stress of their defence in meer calumnies if they could charge me with any one fact to support them. Sometimes I am of dangerous influence by my authority & notorious character; at other times I am a mean & despicable person, of a depraved heart, or obnoxious to them. Surely my Lord, such must be allowed to be meer calumnies when charged in such a manner, that it is impossible for the most innocent person to make a proper defence.

But my Lord, when your Grace shall consider what it is that has given rise to all this rancour against me, I believe your Grace will be perswaded that it deserves the attention of his Majesty's Ministers. While Mr Clinton put his confidence in Mr Chief Justice De Lancey, Mr Chief Justice made use of it to put his friends and dependants into all offices of trust and profit, & by that means form'd a powerfull faction in both the Council & Assembly. At the same time he perswaded Mr Clinton to make such concessions to the Assembly as enabled his faction to take, in effect, the whole executive powers of Government into their own hands. After Mr Clinton was convinced of the tendency of the advice given him, & that there was a design form'd to wrest the administration out of his hands by the power of a faction, he call'd me from the country where I live, to give a more constant attendance on the Council than I formerly had done. After which I did endeavour, with all the cautious prudence I was capable of, at a time when matters of the greatest consequence for His Majesty's service were depending, to support His Majesty's authority, in the hands of his Governour; while at the same time the faction in the opposition laid hold of the same to distress the Governour. This I doubt not will appear to Your Grace by considering the public transactions in this Province at that time. Assoon as the conclusion of a peace was no longer doubted, it was thought a proper time to resume out of the hands of the Assembly, the concessions formerly made to them & to recover His Majesty's just Prerogative out of their hands. I hope your Grace will observe that this was don this last Session of Assembly, in such a manner as can give no just cause of exception. When Mr Chief Justice observ'd that no provocation could make the Governor loose his temper or alter his measures which he had entered into, after the most mature deliberation with Mr Shirley, in support of His Majesty's just authority in this Province, his rancour broke out against me in a Committee of Council, & laid me under a necessity of complaining of it, in the manner which your Grace will perceive from the Minutes of Council on that affair; copies of which Mr Clinton tells me he intends to transmit to your Grace for that purpose. No other cause for this rancour does appear, and I defy him or any man to assign any just cause, or other, than that I, as eldest Councillor, stand in the way of his ambition.

I make no doubt your Grace will be convinced that I have a right to demand justice of the Governor; & that it highly concerns His Majesty's service in this government that justice be don. But as Mr Clinton is desirous that his cautiousness may appear in an affair where his adversaries may take exception to his being præjudiced in my favour, I was willing at his desire to desist from insisting on his giving judgement on my complaint, & to submit it entirely

to your Grace; that His Majesty may do justice and give such directions therein as shall be thought most expedient for his service. I am, with dutyfull regard

Your Graces most obedient
and most humble servant
CADWALLADER COLDEN.

To His Grace the Duke of Bedford.

Governor Clinton to Mr. Catherwood.

[New-York Papers, (S. P. O.) XI., 78.]

Copy of a letter from Gov^{r} Clinton to M^{r} Catherwood dated New York 17. Febr^{y} 1749.

Sir.

This comes by way of Philadelphia to acquaint you of another Riot that Oliver Delancey has been in on the 2nd of this month against a poor Jew and his wife, who lately came hither from Holland, when they had lived in a very handsome manner even to keeping their coach, but were reduced by misfortunes M^{r} Delancey with several others, with their faces black'd and otherwise disguised, broke all the Jews windows, and afterwards broke open his door, enter'd his house, and pulled and tore every thing to pieces, and then swore they would lie with the woman, which put the man and woman in great fright. Oliver swore she was like M^{rs} Clinton, and as he could not have her, he would have her likeness, and used very indecent language. The Jew was advised to go to M^{r} Murray the Attorney for his opinion, who took a fee, and advised him to make it up, as the persons concerned were related to the principal People of the Town, M^{r} Chambers advised the like, and told him he would be ruined if he proceeded against them, and M^{r} Smith advised the same. This shews You, that notwithstanding M^{r} Delancey is under a prosecution by the Crown he goes on in his riotous manner, bidding defiance to every body, as no Lawryer will undertake to prosecute him, being affraid of the chief Justices power. Sure these things following one another, must open the Ministry's eyes, and shew them plainly, that unless the Chief Justice is removed, no man can say he has his liberty, as his Brother and their partys are allowed, to commit all sorts of Riots and abuse, for which they would be hang'd in England, but because they are related to the Chief Justice, the injured people must take it patiently.

Oliver met a poor man on the road not long ago and bid him stop, and because he did not immediately comply with his orders, he broke his head. The poor wretch went to the Attorney General to complain of the insult, who would give him no redress, he went afterwards to his deputy, but still nothing to be done, so that the man was obliged to go home, and sit down quietly with his broken head. I desire you will acquaint M^{r} Sharpe, M^{r} Murray, and in short, every body with his behaviour, and see what you can do.

G. CLINTON.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 23.]

Fort George in New York. Febʸ 24th 174$\frac{8}{9}$

My Lords,

In my former letters I particularly acquainted Your Lordships of a violent Faction in this Government. I now make bold (by way of Summary) to inform Your Lordships of the rise and progress of it, framed with a design to wrest the Administration out of the hands of His Majesty's Governour, & to place it in the hands of themselves in such Manner, as to have the power perpetualy to secure the Administration in some prevailing faction, during the Administration of all future Governours. This is done by the Assembly's assuming (in effect) all the publick moneys into their own hands, & issuing it without Warrant from the Governour. Their taking all the warlike stores out of the hands of the Governour and placing them with persons of their own appointment. Their assuming to themselves the sole power of rewarding all services & of giving Salaries to the Officers, & in effect taking to themselves the Nomination of all offices, by their granting the Salaries (annualy) not to the Officer but to the person by name in the Office.

The bad effects of which His Majesty's Authority and service have appeared so evidently in many Instance, as in its consequences may affect the dependency of the Colonies upon the Crown, if not speedily remedied; that I thought it my indispensable Duty (as soon as the cessation of arms took place) to put a Stop to those Incroachments on the King's Authority, for while the War continued, & especialy while the Expedition was subsisting against Canada, I thought it necessary for me to give way to all such measures, as were necessary for the more effectual carrying on that Service, though at other times they might not be excusable.

For that Reason I resolved (after having maturely considered the matter with Governour Shirley while he was in this Province last summer) to insist on the Assemblys granting the Support of Government, in the same manner it had formerly been done in the time of my predecessors, Governours in Chief of this Province.

The Assembly absolutely refused this, so that now the Government remains without Support, & many just services and debts remain unpaid.

As I cannot hope to bring the Assembly to compliance untill such time as His Majesty's pleasure be signified in such manner as to remove all hopes from the faction, of their being able to continue their usurpation on the King's Prerogative. I must beg Your Lordships to let me know His Majesty's pleasure therein as soon as possible. For 'till then I can not meet the Assembly, without danger of exposing the King's Authority, & my self, to contempt: As soon as I shall know His Majesty's pleasure I shall endeavour to put it in Execution, in the most prudent method possible.

I must beg leave further to inform Your Lordships (as I have formerly done) that this faction was formed by Chief Justice De Lancey, that by his advice I yielded (at my first coming to the Administration) to receiving the support annualy, & in the manner it had been granted to Mr Clark. It is evident by many Instances which have happened since that he did this with a view to get all power in to his own hands, by the influence of his faction, & at last to tire me out, with vexatious uneasinesses, & to get the power in name as well as otherwise by his obtaining the Lieutenant Governour's Commission.

But, My Lords, whatever hopes may be entertained of recovering the Prerogative by this means, it can not have this Effect, because he must act inconsistantly with himself, if he should pursue Measures opposite to the maxims he has Endeavoured to establish among the Faction. And it will be contrary to the principles he has followed for his own power, by placing it not in the King's Authority, but on his Influence over a faction and by keeping up that faction, to make it necessary to keep in power, and to make it appear no gentleman from England can accept of this Government with any satisfaction to himself, or preserve its dignity while in all his Actions he must be subject to the humours of a prevailing faction. Upon these Principles he may hope to continue always in power: but how prejudicial the encouraging such schemes may be it is needless for me to observe to Your Lordships.

Besides this I must likewise observe to Your Lordships that the methods which they have taken to support their influence among the people are such as ought to be discouraged in all civil Society & all destructive of all Government; That is by publishing the most impudent and false Calumnies of their Governour, & of every person that at any time endeavoured to support his Authority. Indeed it is upon this I am persuaded they lay their principal hopes of succeding with His Majesty's Ministers in the designs they have against me, they supposing that His Majesty's Ministers will never imagine that any number of Men bearing the Name of a General Assembly of a Province could be guilty of such things, but if Your Lordships knew what sort of Men composed those Assemblies that presumption could have no great effect upon you. And as these Calumnies touch me in the most tender part I must beg Your Lordships (if any doubts remain on that head) that some Method be taken to make the Truth evident to His Majesty: And for this reason as well as others, must most earnestly insist with Your Lordships, & pray His Majesty, that a proper Regard be had to the character of our family.

These Calumnies are so notorious that the generality of People are shockt at them, & in private often declare their abhorrence of them. That were it not for the fear numbers have of Mr De Lancey's insolent & revengefull temper & his present power as Cheif Justice & the Expectation of his succeeding to the cheif Administration of Government, I could soon convince the world that the people of this Province have a very different opinion of their Governour, & of the persons he advises with, from what the Faction endeavours to make them beleive. I am, with the greatest of respect, My Lords,

Your Lordships most obedient
and most humble Servant
G. Clinton.

To the Right Honourable The Lords Commissioners of Trade & Plantations.

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XI., 76.]

(Duplicate). Fort George 24th Febr^{y} 174$\frac{8}{9}$.

My Lord Duke.

In my former letters I particularly acquainted your Grace, of a violent faction, in this Govern^{t}; I now make bold (by way of summary) to inform you of the rise and progress of it, framed with a design, to wrest the Administration out of the hands of His Maj$^{ty's}$ Governour, and to place it in the hands of themselves, in such manner, as to have the power, perpetualy to secure the Administration in some prevailing faction, during the Administration of all future Governours. This is done by the Assembly's assuming (in effect) all the publick moneys into their own hands, and issuing it without warrant from the Govern^{r}. Their taking all warlike stores out of the hands of the Govern^{r}, and placing them with persons, of their own appointment. Their assuming to themselves the sole power of rewarding all services, and of giving salaries to the Officers, and in effect taking to themselves the nomination of all offices, by their granting the salaries (annualy) not to the Officer, but to the person by name, in the office.

The bad effects of which to His Majesty's authority and service have appeared so evidently, in many instances, as in its consequences may affect the dependency of the Colonies upon the Crown, if not speedily remedied; that I thought it my indispensible duty, (as soon as the cessation of arms took place) to put a stop to those incroachments on the Kings authority. For, while the war continued, and especially while the expedition was subsisting against Canada, I thought it necessary for me, to give way to all such measures, as were necessary for the more effectual carrying on that service, though at other times, they might not be excusable.

For that reason, I resolved, (after having maturely considered the matter with Govern^{r} Shirley, while he was in this province last summer) to insist on the Assembly's granting the support of Govern^{t}, in the same manner it had formerly been done, in the time of my predecessors, Governours in chief of this Province.

The Assembly absolutely refused this, so that now the Govern^{t} remains without support, and many just services, and debts remain unpaid.

As I can not hope to bring the Assembly to complyance, until such time as His Maj^{tys} pleasure be signified in such a manner, as to remove all hopes from the faction, of their being able to continue their usurpation on the King's prerogative. I must beg your Grace to let me know His Maj^{tys} pleasure therein, as soon as possible; for till then I can not meet Assembly without danger of exposing the Kings authority and myself to contempt, and in the mean time the publick affairs must suffer exceedingly. As soon as I shall know His Maj^{tys} pleasure, I shall endevour to put it in execution, in the most prudent method possible.

I must beg leave further to inform Your Grace (as I have formerly done) that this faction was formed by Chief Justice Dé Lancey, that by his advice I yelded at my first coming to the administration, to the receiving the support annually, and in the manner it had been granted to M^{r} Clark. It is evident by many instances, which have happened since, that he did this with a view, to get all power into his own hands, by the influence of his faction, and at last to tire me out, with vexation and uneasiness, and to get the power in name, as well as otherwise, by his obtaining the Lieutenant Governours Commission.

But My Lord, whatever hopes may be entertained of recovering the prerogative, by this means, it cannot have this effect, because he must act inconsistently with himself, if he should pursue measures opposite to the maxims, he has endevoured to establish among his faction, and it will be contrary to the principles, he has followed for his own power, by placing it not on the King's authority, but on his influence over a faction; and by keeping up that faction, to make it necessary, to keep him in power, and to make it appear, that no Gentleman from England, can accept of this Govern^{t}, with any satisfaction to himself, or preserve its dignity, while in all his actions he must be subject to the humours of a prevailing faction. Upon these principles he may hope to continue always in power: but how prejudicial the encouraging such schemes may be, it is needless forme to observe to Your Grace.

Besides this I must likewise observe to Your Grace, that the methods, which they have taken, to support their influence among the people, are such as ought to be discouraged in all civil society, and are destructive of all Government; That is by publishing the most impudent and false calumnies of their Governor and of every person that at any time endevour'd to support His Authority. indeed it is upon this, I am perswaded they lay their principal hopes of succeeding with His Maj$^{ty's}$ Ministers, in the designs they have against me. They supposing that His Maj$^{ty's}$ Ministers will never imagine that any number of men, bearing the name of a General Assembly of a province, could be guilty of such things, but if Your Grace knew what sort of men compose those Assemblies, that presumption could have no great effect upon You; and as these calumnies touch me in the most tender part, I must beg of your Grace (if any doubts remain on that head) that some method be taken, to make the truth evident to His Maj^{ty}; and for this reason, as well as others, must most earnestly insist with Your Grace, and pray His Maj^{ty}, that a proper regard be had to the Character of our family.[1]

These Calumnies are so notorious, that the Generality of People are shockt at them, and in private often declare their abhorrence of them; that were it not for the fear, numbers have of M^{r} Dé Lancey's insolent revengful temper, and his present power as Chief Justice and the expectation of his succeeding to the chief Administration of Govern^{t}, I could soon convince the world, that the people of this province have a very different opinion of their Govern^{r} and of the persons he advises with, from what the Faction endeavours to make them believe.

I have been cautious of doing any considerable act of Government without having the previous approbation of His Maj$^{ty's}$ Ministers, when I thought it might admit of such delay, as to receive it; but this caution has turned out much to the prejudice of His Majesty's service, by encouraging the faction in all their insults on me and my friends, and I find it has of late (since the insults which M^{r} Colden received in Council from Chief Justice Dé Lancey) discouraged the members of His Maj^{tys} Council, in doing their duty, and put a stop to the freedom of debate there. I find myself under a necessity to remove these fears, by making use

[1] Admiral George Clinton was second son of Francis, 6th Earl of Lincoln, by his 2d wife, Susan, daughter of Anthony Penniston of Oxfordshire, England; and brother of Henry the 7th, and uncle of George the 8th and Henry the 9th, Earls, the last of whom married, in 1714, Miss Pelham, daughter of the Chancellor of the Exchequer and a connection of the Duke of Newcastle. Mr. George Clinton having entered the Navy, was appointed Captain June 16, 1716. In 1732 he was Governor of Newfoundland and Commodore of the Squadron there. In 1737, Commodore of the Mediterranean fleet, and July 4, 1741, was commissioned Governor of New-York, which office he held until 1753, when he retired with the sum of eighty thousand pounds sterling, which it is alleged he accumulated in that government. On December 10, 1743, he became Rear Admiral of the Red Squadron; in 1745, Vice Admiral of the Red; in July, 1747, Admiral of the White. On his return to England he became Governor of Greenwich Hospital, and represented the borough of Saltash in the Parliament of 1754. Admiral Clinton married Anne, daugher of General Carle by whom he had a family, of which, however, only one son and daughter survived. *Collins' Peerage*, II., 165. He died July 10th, 1761, and his lady on the 5 Aug., 1767. *Gent. Mag.* — Ed.

of the authority which the King has intrusted me with, to suspend Chief Justice Dé Lancey from being Lieut^{t} Governour, and his seat at the Council board; and I must intreat Your Grace, to examine the minutes of Councill, sent to Your Grace relating to the insult offer'd to M^{r} Colden in Council, and that His Maj^{ty} may give such orders, as to preserve the dignity of His Council, and the freedom of its members for the future.

I am with the greatest respect
My Lord

Your Graces most obedient and
most humble servant.
(signed). G. CLINTON.

To his Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 24.]

My Lords,

I am very sorry I have not been able to comply with Your Lordships' directions, in relation to some Quaryes; which has been prevented by a long illness, that I have not been able to stir out of my room for this three months last past, but hope to be able to answer them very soon, The War has occasioned a great deal of Shifting and changing from County to County that it has been almost impossible to have got any exacter account of the numbers then what I sent to Your Lordships about two years ago, as M^{r} Catherwood knows, I have sent to him by this opportunity to deliver to Your Lordships the list of Vessells cleared outward, and entered inward, from the 25th March 1748 to the 29th September following, and shall take particular care for the future that they shall be constantly sent.

We have here from Quebeck four French Officers with sixteen Frenchmen and Indians in their retinue who are come down to treat with me about Exchange of Prisoners, both Indians & Christians, notwithstanding which I this day received by Express an account that the French had actually been treating with the five Nations to join them in a War against the far Nations of Ottawawas, who generously came into our Interest against the French and their Indians, and were strongly attached to us in the late intended Expedition. This must be a piece of French Pollicy purely to divide our Interest, in order to weaken our Indians: My Indisposition will not permit me to say more now, besides the ship waits for my letters, but as another vessell will soon sail I shall give Your Lordships a fuller Account, in the interem shall take the proper steps to prevent any such designs.

I am, with the greatest respect, My Lords
Your Lordships' most obedient
and most humble Servant
G. CLINTON.

Fort George New York.
the 14 March 174$\frac{8}{9}$

To
The Right Hon^{ble} The Lords of Trade & Plantations.

Governor Shirley to the Duke of Bedford.

[S. P. O. Gov. Letters, LXVI.]

Boston May 10th 1749.

My Lord Duke

Mr Mascarene having transmitted to me a copy of the French Governour of Canada's letter to him dated the 15th January with a copy of his own answer to it, wherein he referrs him to me for an answer to his fourth demand, I thought it my duty not only to answer that part of the letter but to remark upon the other parts of it, which I apprehended Mr Mascarene had too slightly touch'd upon in his answer; and I now inclose your Grace a copy of my answer; but as Mr Mascarene informs me in his letter to me, that he has sent Your Grace a copy of Mr la Galissoniere's letter and his answer, I thought it needless for me to transmit your Grace copies of them, and beg leave to referr your Grace to those already sent by Mr Mascarene.

It is necessary for me to observe to Your Grace that this is the first instance of a French Governour's openly avowing the part of any Indian Tribe at war with us, and declaring that he will support 'em in Acts of Hostility against us, and whether Mr la Galissoniere would now venture to do it without particular instructions from his master to keep the Indians at war with us, I will not take upon me to say; and it is proper farther to observe that upon the conclusion of a French war, we have never look'd upon the Indians engaged in it against us to be included in the general treaty made in Europe between the two Crowns; but the King's Governours have ever made particular treaties with 'em.

As to Mr la Gallissoniere's letter, I think I need not trouble Your Grace with any comment upon it here, farther than to observe that it seems to shew the necessity of having the Boundaries between the limits of Canada and those of His Majestys territories in North America bordering upon it, settled; that it plainly appears the French are determined to obstruct His Majestys settlement of Nova Scotia as much as possible, especially in Minas and Schiegnecto, which are districts absolutely necessary to be secur'd, and that the making English settlements there, will be no slight work nor be held when effected, without a regular Fort strongly garrisson'd upon the Isthmus between Bay Verte and Beau-bassin; and that I can't but look upon the point now coming on in dispute, as what must finally determine the mastery of this Continent between His Majesty and the French King.

If I had received His Majesty's leave of absence from my government, I should have taken the first opportunity of coming to England, as I apprehend my being there for a short time might be of some service upon this occasion. I have the honour to be, with the most dutiful regard

My Lord Duke

Your Graces most devoted
and most obedient servant
(signed) W. Shirley.

Boston June 3. 1749.

P. S.

Not knowing whether Mr Mascarene has transmitted duplicates of Mr la Galissoniere's letter and his answer, to Your Grace, I thought it proper to inclose em

Your Grace's most devoted Servant
W. Shirley.

His Grace the Duke of Bedford

Marquis de la Galissonière to Lieutenant-Governor Mascarene.

[S. P. O., Gov. Letters, LXVI.]

[TRANSLATED FROM THE FRENCH.]

Quebec 15th January 1749.

Sir.

As soon as I had intelligence of the suspension of hostilities concluded on the 30th of April last, I ordered a like cessation throughout the entire extent of my Government. I recalled the war parties I had sent out, though I might have made that at Beaubassin and Bay Verte remain until I should be informed of the conditions of the Peace which I had yet to learn. M. Marin, who commanded that detachment has however liberated the prisoners he took at Louisburgh. In fine, peace was reëstablished on my part, as if war had never existed; such was not the case, without difficulty, however, on the part of the Indians, who objected to me, with some shew of reason, that I was seriously exposing them by preventing the continuance on their part of hostilities against you, whilst I could answer them only that, as far as they were concerned, you would observe the suspension of hostilities.

After all these attentions of which you could not be ignorant, I have reason, it seems to me, to be astonished at, and to complain of divers acts on your part during the fall. The first is the expulsion of the Missionary who was at Minas. Such violence appears to me wholly out of place. It needed, perhaps, only a few months to determine whether you would retain possession of Minas, and supposing that District remained to you, then you would have plenty of time to require that Missionary to be changed, according to the practice of the preceding Peace. Moreover, it was not very decent to have burnt the houses of Amand Bugeaude and of la Maigre at Minas. For, were the new Treaty to restore that place to us, you would be obliged to rebuild these houses; that act having been done after the suspension of hostilities had been proclaimed.

The second is, to have exacted new submissions from the people of Beaubassin and Bay Verte, which appears to me equally premature and useless, until you and I know the particulars of the new Treaty.

But the third exploit of Mr Gorham is still more extraordinary than the others. This consisted in exacting submission from the settlers on the river St John; a river situate in the continent of Canada and far at this side of Quenibec, where the boundary of New England was fixed by common consent. What passed between Mr Gorham and the Abenaquis respecting this river St John is not a whit more regular, and is hardly prudent on his part, Mr Gorham having sent them word, that if they desired to be included in the Peace, they must make their submission to you at Port Royal. This shocked them so much, and justly, that the entire Nation is soliciting me to allow them to renew the war. Mr Gorham has given them fresh cause to complain, by retaining two of those Indians, who had gone to his neighborhood in search of their Missionary. This is manifestly so contrary to the Law of Nations, that I doubt not but you have immediately sent them back. It is very doubtful, as I have been told, whether the English belonging to Mr Gorham's vessel who have been killed, had met their deaths at the hands of the Abenaquis; but though such were the case, it would be no less certain that those who have been in quest of their Missionary and went only on the guarantee of the public faith pledged by Mr Gorham, could not have been arrested.

I demand then, Sir, of you

First, To order the release of the two Indians.

2. To have the goodness not to make any alteration in matters of Religion and its Ministers in Acadia.

3. To forbid M[r] Gorham and all others soliciting or threatening the settlers on the river St. John or in any other dependency of the Government of Canada, in order to bind them to submissions contrary to the allegiance they owe the King of France, their master and mine, who has not ceded that territory by any Treaty.

4. I request you to have the goodness to inform me whether you mean to include the Abenaquis in the Peace; and in that case I request you also to be pleased to prevail on M[r] Shirley to allow them to settle again in their Village, and to leave their Missionaries undisturbed there as before the war. They coöperated in it only as our allies, and it ought to be at an end as well for them as for us: Should a different opinion obtain in New England, I could not help assisting them, as it is not just that I should abandon them to your vengeance after I had been greatly pleased with their service.

You must be acquainted also with the Indians to understand that it is important for the safety and tranquillity of the frontiers of the Province of Massachusetts, that I have a prompt and positive answer, as they are continually soliciting me for leave to continue the war. I regard it as a pretty rare piece of good fortune to have been able to control them up to this time, especially since they have had information of M[r] Gorham's acts and threats; and however I have exerted myself to pacify them, I should not be surprised if they had recourse to some act of violence.

It would be easy for you, I should think, to transmit me your answer through the Missionaries on the river S[t] John and thereabouts, through whom I also address you this letter, which I send in duplicate.

It is likewise proper that the Missionaries be informed of your decision; they will thereby be better able to restrain the Indians.

I have the honor to be with perfect consideration

Sir,

Your most humble and

most obedient Servant

La Galissoniere.

True copy

P. Mascarene.

Copy (signed) W. Shirley.

Lieutenant-Governor Mascarene to the Marquis de la Galissonière.

[S. P. O. Gov. Letters, LXVI.]

Annapolis Royal 25 April 1749.

Sir

I have received on the 18[th] Instant April the honour of your letter dated at Quebec the 15[th] January last, New Stile, in which you first acquaint me that as soon as you heard of the

suspension of arms, you had recalled the partys you had sent to war; as all the troops which have been under my command during the course of the war have only acted within His Majestys territoryes to defend them from invasion, I had not the same reason to recall them, but ordered them not to act offensively unless provokt and oblig'd to it, by any violence offer'd to them. Your parties had left this Province long before the Preliminary Articles were signed, and I dont know they had any right to enter it, after the suspension of arms by virtue of those Articles took place, as did M^r^ Morin, who tho' he had the suspension of arms signified to him by the Governour of yet carried away from thence several officers and men he had surpriz'd, and landed them in this Province; whom however he thought fit to release afterwards, tho he carried with him several soldiers who had deserted from this garrison.

As I have reckoned this Province and all the inhabitants seated in it as belonging to the Crown of Great Britain, notwithstanding your troops have had sometimes a footing therein, I have never refrain'd from making His Majesty's authority to be acknowledg'd and due regard paid to it, whenever it has been in my power. It is in consequence of it that I sent to Manis and Chignecto and other parts, to establish good order, and call to an account those who had acted contrary to the fidelity they owed to the King of Great Britain their Sovereign.

The Missionarys who have been allow'd from this place to reside in this Province have by an order of the government been obliged to come to this place & obtain permission of their so doing, and to remain to the place allowed to them, and when they have been found to labour to alienate the peoples affection from His Majesty and their fidelity and duty from the government, or otherwise misbehav'd, they have been ordered out of His Majesty's territories, and those who have avoided those faults have been suffered to remain, and have not been any way molested.

Those of the inhabitants who have suffered in their persons or their estates have undergone those penalties for having acted in treasonable & rebellious practices, contrary to their Oath of Fidelity and as subjects, by w^ch^ they are bound to the Crown of Great Britain. What you are pleased to name the New Submissions required of His Majesty's French subjects, were to give them an opportunity of clearing themselves from having been concern'd in such rebellious practices, that they might still continue in the favour and protection of His Majestys governm^t^.

It is many years ago that the French families seated on the River S^t^ Johns came to take the Oaths of Fidelity to the Crown of Great Britain and have been reckoned as all the rest of the French inhabitants to be His Majestys subjects and under his protection, and have been assisted & dealt with as such when M^r^ Gorham went there in the same manner as he had been in other places of this Province. He had orders not to commit any hostility, except provok'd or obliged to it by any violence offered to him or to those who were under his command; his boats and some men who were ashore were fired upon, tho those who had committed this outrage were called upon by our people in a friendly manner, and at the time that M^r^ Gorham had sent up the River to speak with the French inhabitants. His taking two of the Indians with him was to bring the Indians to clear themselves of having had a share in that outrage and to bring to light the Offenders. These two Indians were treated here with all humanity and so little guarded that they got away; one of them got home, and the other being recovered, went to Boston, where, as I have heard, he is not kept like a prisoner, but with all the good treatment he can desire.

As for the Indians of S^t^ Johns River being told that if they would have peace with us they must come to this place to make their proposals; I think Sir there is nothing contrary to what

has been practiced heretofore by these people. The last peace with them was made in territories of New England and at this place. I have the original of the Articles by me. Those very Indians sent a Deputation to me about five years ago, to desire to live in peace with the subjects of Great Britain, tho the two Crowns should be at war; w^ch^ I assur'd them they might, if they would, and sent them honourably back again; but they soon altered their opinion tho' no reason was given on our side for it.

The first of your demands is answered Sir, already, by my telling you that neither of the two Indians you mentioned are in my possession.

As for the second, in regard to the religion of the French inhabitants of this Province, I have & shall continue to follow the treaty of Utrecht, and what commands I shall receive from the King my master, if there is to be any alteration.

The third, relating to the French Inhabitants of the River S^t^ Johns, I have reckoned them as subjects of Great Britain, and seated in territories belonging to that Crown, and cannot alter my opinion 'till by the Boundaries being settled between the Governm^ts^ of Nova Scotia and Canada, or by orders from the Courts of Great Britain I am obliged to think otherwise.

I shall comply with your fourth demand by sending your letter to Governour Shirley, with whom I am obliged to consult in what relates to the British Interest in those parts of the world and I can do it with the more speed as I am to dispatch a vessell to Boston within three or four days.

After having answered the material points of the letter you have done me the honour to write to me; I am to acquaint you, Sir, that by a vessel arriv'd yesterday from Boston we have the confirmation of the signing of the Definitive Treaty of Peace between all the powers at war, on the $\frac{7}{18}$ October last, the Ratifications whereof have been since exchang'd, with w^ch^ the King of Great Britain has acquainted his Parliament in his speech, and the Addresses of both Houses of Parliament thereupon, with His Majesty's speech are come to my hands, w^ch^ I take the freedom to inclose to you. I expect every day the articles of peace in this Province. This great work is happily compleated and it doth not seem proper for us in these parts of the world to trouble the friend[ship] w^ch^ is reestablished betwixt our two nations, by starting difficulties w^ch^ are already or will soon be decided at home for our future direction. It shall be my care to give no occasion for any breach of the good understanding w^ch^ is to be the fruits of peace, tho' it is not my intention, whilst I have the honour to command over the Province of Nova Scotia, to relinquish any of the rights I am perswaded the King my master has, till I have His Majesty's orders for it. I have the honour to be with all possible regard

Sir

Your most obedient & most
humble Servant
MASCARENE.

True Copy.
P. MASCARENE
Copy. (signed) W. SHIRLEY.

Monsieur de la Galissoniere
Governour of Canada

Governor Shirley to the Governor of Canada.

[S. P. O. Governor's letters, LXVI.]

Boston May 9. 1749.

Sir

Two days ago I received from M^r^ Mascarene[1] a copy of your letter to him dated at Quebec 15^th^ January, wherein (among other demands) you call upon him to acquaint you whether he intends to comprehend the Abenaqui Indians in the peace, without requiring any kind of submission from 'em; and desire that in such case he would engage me to let 'em resettle in their village, and their Missionaries remain there with 'em unmolested, as they did before the war: observing to him that those Indians enter'd into the war only as your allies and therefore when the war was finished with you, it ought to be so with regard to them; and you proceed to say, Sir, that if they thought otherwise in New England, you shall be obliged to assist those Indians, intimating that it is of importance to the safety and tranquillity of the frontiers of the Massachusetts Bay that you should have a speedy and positive answer, and that you shall not be surpriz'd if the Indians should proceed to acts of violence.

To this, Sir, which is the fourth demand in your letter, M^r^ Mascarene having referr'd you to me upon it, I shall comply with your request in giving as speedy and positive an answer as may be.

The village of the Abenaqui Indians, by which I at present understand only those who are seated on S^t^ Johns River has been ever deem'd by the English, to be situated within the heart of Nova Scotia, and consequently that tribe of Indians, together with the French Inhabitants upon the same River to be resident within His Majesty's territories; and accordingly, Sir, the latter have acknowledged themselves, ever since the Treaty of Utrecht, to be subjects of Crown of Great Britain, by taking the oaths of Fidelity and Allegiance to it and have had the protection of His Majesty's government in common with his other subjects in that Province. This being the case, these Indians, when the advice of a rupture between His Majesty and the King your master was hourly expected, under the pretext of sending a Deputation to M^r^ Mascarene to desire that they might remain in peace and amity with the English, notwithstanding war should happen between the two Crowns, gain'd admission into Annapolis Royal for some of their tribe, who were in reality (as it afterwards prov'd) spies, and having obtain'd M^r^ Mascarene's agreement to what they pretended to propose in behalf of their tribe, and being honourably treated and dismiss'd by him, return'd in three weeks after among others of their tribe, with their Missionary De Loutre at their head, surpriz'd and killed as many of the English at Annapolis Royal as they caught without the Fort, destroyed their cattle, burned

[1] John Paul Mascarene was born at Castras, in the Province of Languedoc, France, in the year 1684; his parents were Jean M. and Margaret de Salavy. The revocation of the edict of Nantes having obliged his father, who was a Huguenot, to fly, young Mascarene fell to the charge of his grandmother. At the age of twelve he made his way to Geneva, where he was educated, and afterwards went to England, where he was naturalized in 1706, and received a lieutenant's commission. He accompanied the troops which were sent to America in 1711, and was employed in Nova Scotia, where he gradually rose to the rank of Lieutenant-Colonel in the 12th Regiment of foot, commanded by Col. Phillips, who was Governor of Nova Scotia in 1720, and of whose Council Mr. Mascarene was a member. In 1740 he became Lieutenant-Governor of Nova Scotia, which office he held until July, 1749, when he was succeeded by Gov. Cornwallis, of whose council also he was a member. In 1750 he obtained leave to resign, on account of his advanced age, when he received a commission of Colonel, to rank as such in the army, and retired with his family to Boston, of which city his wife, Elizabeth Perry, was a native, and where he died on 22d January, 1760. *N. E. Hist. & Gen. Register*, IX., 239; *Haliburton's Nova Scotia*, I., 317, 319. — Ed.

their houses, and continued their acts of hostility against the garrison, 'till the arrivall of two of the four first Companies I sent from New England for the reinforcement of it. Such was the entrance of these Indians, Sir, into the war with us and their alliance with you.

For this perfidious behaviour I caus'd war to be declared in His Majesty's name against these Indians, at Boston, in November 1744, and, so far as it depends on me, they shall not be admitted, Sir, to terms of peace, till they have made a proper submission for their treachery, unless they should be already comprehended in the Definitive Treaty of Peace and Friendship lately concluded at Aix la Chapelle; which I shall on my part strictly observe on every point.

As to what you have thought fit, Sir, to declare in your letter concerning your intentions to support the Indians in acts of hostility against us, unless we give 'em peace upon the terms there prescribed by you, and the danger the frontiers of the Massachusetts Bay in particular may be in, unless you have a speedy and positive answer upon this head: what I have to say in answer is, that I shall be sorry for a new rupture between us, and am very desirous to have perfect tranquillity restored to the Province under my government; but if the latter is not to be the case and you think fit to make yourself a party in an Indian war against us; I doubt not but His Majesty's subjects upon this Continent will be able to make just reprizalls upon Canada, when it shall bé His Majesty's pleasure to have 'em do it.

I can't avoid now, Sir, expressing great surprize at the other parts of your letter whereby you take upon you to call M[r] Mascarene to account for expelling the Missionary from Minas, for being guilty of such treasonable practices within His Majesty's government as merited a much severer punishment than that of expulsion from the Province.

The right you claim, Sir, of sending Missionaries from France to reside among His Majesty's subjects of Nova Scotia as their priests, and in consequence of that, your forbidding His Majesty's Governour to make any alteration in the State of Religion and it's Ministers there, is still more extraordinary, and I must not omit upon this occasion to remark to you that I think the letter which the Bishop of Quebec[1] lately wrote to M[r] Mascarene concerning his intended visitation of His Majesty's subjects in that government in such terms as shewed he looks upon 'em as a part of his cure of souls and within his jurisdiction, was likewise an extraordinary attempt and can't be admitted.

Your interfering, Sir, in His Majesty's punishment of his subjects in Nova Scotia, inflicted for rebellious and treasonable practices against the Crown and his requiring others of them to renew their oaths of Fidelity, and in one word your treating the subjects of the Crown of Great Britain in that Province, as if you look'd upon 'em as subjects of His Most Christian Majesty and being under his allegiance, is, if possible, still more surprizing; and as these attempts are manifest invasions of the undoubted right which every Prince has over his subjects, I can't but look upon 'em as insults upon His Majesty's government, which require no further answer.

After these attempts, Sir, upon His Majesty's right of government over his subjects in Nova Scotia, I am less surpriz'd at your encroachments upon the limits of this Province, which you are pleased to call in your letter Dependencies of the Government of Canada.

[1] Right Rev. Henri du Breil de Pont Briand, successor of Bishop de l'Auberivière (IX., 1063), and 6th Bishop of Quebec, was born at Vannes, in Brittany, France, in 1709. He was consecrated at Paris on the 9th of April, 1741, and arrived at Quebec on the 17th of August following. On the approach of the English to Quebec, in 1759, he issued a Pastoral Letter, which is preserved in Knox's *Historical Journal*, II., 108, and reprinted in Smith's *History of Canada*, I., 277, and after the reduction of that city retired to Montreal, where he died on the 8th of June, 1760, aged 51 years. He was the last Bishop of Canada under the French dominion. — Ed.

As to your demand for the release of the two Indians carry'd off by Capt. Gorham, I can't allow, Sir, that you have a right to interpose in that affair, and Mr Gorham has satisfy'd me that he committed no breach of publick faith in doing it.

I can't conclude without making use of this opportunity to acquaint you, Sir, that we look upon Fort St Frederic at Crown Point as an encroachment upon His Majesty's territories, and in case you proceed to settle the country round it, shall esteem those settlements so too, unless that tract has been ceded to you by the late Definitive Treaty at Aix la Chapelle.

I am sorry, Sir, that the first fruits of the Peace, on your part, have so unpromising an aspect, and beg you will be perswaded that nothing shall be wanting in me to preserve that right understanding which subsisted between us during the war; having the honour to be with the most perfect regard

Sir

Your most humble and
most obedient Servant
W. Shirley.

Marquis la Galissoniere.

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.) XI., 77.]

My Lord Duke.

The Governour of Canada under various pretences refuses to set at liberty numbers of His Majtys subjects, who were made prisoners in time of war, viz: first: the Indians who are prisoners there in expectation thereby to oblige the Five nations (who are declared subjects of Great Britain by the treaty of Utrecht) to go to Canada and there treat for the liberty of their people independently of the Crown of Great Britain; and secondly, to extort large sums for the redemption of prisoners inhabitants of this province, whom he has left in the power of the French Indians as their slaves.

The Governour of Canada at the same time threatens to make war on the Missesaques, and on other nations scituated on lake Hurons, who had joined us in the war against the French in Canada, had blocked up several of the French forts scituated on those lakes for security of their commerce among these distant nations and in a renconter with the French had killed above sixty of their men. These nations had entirely obstructed the French commerce in the time of the war and their communication with the Misissipi and now not only trade with His Majtys subjects of this province, but endevour to carry the trade of all the neighbouring Indian nations to Oswego and to withdraw them from the French.

I have now sent the Indian interpreter with a considerable quantity of provisions and amunition to meet the Missisaque Indians at Oswego to encourage them in their confidence of their being supported against intrigues of the French in their Trading with His Majtys subjects, and as this is evidently a necessary service, I am confident His Majty will not allow me to suffer by my zeal for his service in advancing the money for the expence of it since it could not otherwise be performed.

As the designs of the Govern^{r} of Canada in this proceeding is to withdraw the Indians from us and to lessen or rather destroy the confidence the Indians have in the protection of the King of Great Britain it is of great importance to defeat his designs, otherwise the British comerce may be every-where obstructed among the Indians and entirely lost, and in case of a war the frontiers of the Northern Colonies be on all quarters exposed to the incursions of the Indians, and their settlements ruined.

As we had certain intelligence of the Treaty of peace being concluded, I depended on soon receiving orders and instructions for the liberty of prisoners on both sides, but having received no orders or instructions on that head, not so much as a copy of the Treaty of peace, I am disabled from pursuing any method of obtaining the liberty of these prisoners, I must likewise inform Your Grace, that as His Maj$^{ty's}$ Gov^{r} of this Province is without any support for defraying any part of the expence of the Administration, of which in my former letters, I have informed Your Grace, I am obliged to defray the expence of preserving the Indians in their fidelity out of my own private pocket, and on the credit of the orders, I formerly received from the Duke of Newcastle by sending proper persons among them with presents for that purpose, and tho' this be a heavy charge on me, and absolutely necessary for His Maj^{tys} service, I know not how I shall be otherwise reimbursed, than by the aforesaid credit which has not been recalled. I have sent copys of all the papers which have passed, between the Governor of Canada and me on this occassion, to the Lords Commissioners for Trade and Plantations for their information, to which I must beg leave to refer Your Grace, humbly praying that I may receive proper instructions on this head without delay.

Your Grace will perceive from the inclosed extract of a paper which the Gov^{r} of Canada had sent among the Indians, what artifices he is using, now at the commencement of the peace to infuse among them of the English and to withdraw their affections from us.

I have been for some weeks past much out of order, that I hope Your Grace will forgive me in making up of another hand

I am with the greatest regard and respect

My Lord Duke

Your Graces most obedient

and most humble servant

New York 30th May 1749. (signed.) G Clinton.

To his Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 29.]

My Lords,

Your Lordships will receive with this copys of several letters & papers which I have passed between the Governour of Canada & me relating to the Exchange of Prisoners. The Governour of Canada under various pretences detains a great number of His Majesty's Subjects of this

Province Prisoners in Canada. I have set all the French at Liberty (who were a much greater number than the English in Canada) except about Eighteen or twenty who were taken by the Mohawk Indians & remain in their hands. They have five of their people prisoners in Canada. The Gov^{r} of Canada insists to have these French who are in the hands of the Mohawks delivered up in the first place & at the same time refuses to deliver up those Indians he has prisoners; and likewise to set at Liberty a great many of the English who are detained like Slaves among the French Indians, unless we buy them like slaves from their Indian Masters. At the same time the Gov^{r} of Canada has his Emissaries among the Indians of the five Nations who by the force of presents and otherwise are endeavouring to debauch them in their Fidelity to the Crown of Great Britain by perswading them to go to Canada & there to humble themselves for having joined with the English in the war & to enter into new treaties of friendship & submission to the French King. The Gov^{r} of Canada at the same time threatens to make War on the Mississaques & on other Nations scituate on Lake Hurons who had joined us in the War against the French in Canada, had blocked up several of the French Forts scituated on those Lakes for the Security of their Commerce among these distant nations & in a renconter with the French had killed above sixty of their Men. These Nations had entirely obstructed the French commerce in the time of the War, & their Communication with the Mississippi & now not only trade with His Majesty's Subjects of this Province, but endeavour to carry the trade of all the neighbouring Indian Nations to Oswego & to withdraw them from the French.

As it would be at present of the worst consequence to the British Interest in Trade if the French should succeed in their Designs, & afterwards as to the safety of the Northern Colonies in case of a War, I am doing everything in my power to defeat their Designs, But as his Majesty's Government in this Province is without one farthing at present for the support of it, or for the defraying any Expence in the Administration however necessary, I am put under the necessity of Defraying this Expence of preserving the Indians in their Fidelity out of my own private pocket, & without knowing in what manner I shall be reimbursed.

I have now sent the Indian Interpreter with a considerable quantity of provisions & Amunition to meet the Misissaque Indians at Oswego to Encourage them in their Confidence of their being supported against the intrigues of the French in their Trading with his Majesty's Subjects, & as this is evidently a necessary service I am confident His Majesty will not allow me to suffer by my zeal for his service in advancing the mony for the Expence of it, since it could not otherwise be performed.

Your Lordships will perceive by my last letter to the Governour of Canada that I expected to be Enabled by the treaty of peace to demand all the prisoners to be set at liberty in pursuance of it; But thô I have received his Majesty's Proclamation of Peace I have no orders relating to the liberty of the Prisoners on either side, neither have I any copy of the treaty of peace, so that I am disabled from pursueing those measures I had resolved to take for procuring the Liberty of the Indians as well as of the other British subjects Prisoners in Canada.

It is of the greatest consequence, My Lords, that I be enabled to preserve the Confidence the Indians have in the protection of the King of Great Britain, for if it had not been for the assistance we had from our Indians it would have been very difficult to have preserved a great part of this Province & other parts from desolation by the Incursions of the French Indians, whereas by the Assistance we have had from them notwithstanding the Agravations made in the common News Papers of what the people on the Frontiers have suffered from the Incursions

of the French a greater part of Canada has been laid waste by our Indians & their settlements Deserted, & according to the Informations I have obtained since the cessation of Arms more of the French killed by the Indians in alliance with us than English by the French; But the greatest advantage we obtained in the War was in the almost total destruction of the French Commerce with the numerous Indian Nations to the Westward & which, had I not been obstructed by the Intrigues of the Faction in this Province, would have been so effectually destroyed by the Measures I had taken that the French could not in many Years (if ever), have recovered it.

These things I can only curserly mention at this time that Your Lordships may see the Importance of my beng Enabled by proper Instructions & otherwise to preserve the Indians in their Fidelity & that no time be lost for this purpose least the French in Canada should by their Artifices gain any advantage over us. This is the true and only foundation of the Difference between the Governor of Canada & me at this time, that he lays hold of the conclusion of the Peace & the setting of prisoners at liberty in consequence of it as a proper occasion to withdraw the dependance of the Five Nations as well as other Indian Nations on the British Crown, thô by the treaty of Utrecht these five nations (as they were then commonly called by the English) are declared subjects of Great Britain.

The affairs of the Indians is of so great Importance to the safety & prosperity of the Northern Colonies that it deserves the serious attention of His Majesties Ministers now immediately after the conclusion of a peace, & the more so that the French in Canada appear indefatigable at this time to gain an Advantage of us by our remissness occasioned by the unsettled state of the publick Affairs of this Province: I every hour hope to receive Instructions by which the Administration shall be so far strength'ned that a Faction shall not think it safe out of picque or other sinister View to oppose and obstruct every Measure I take for His Majesties Service however necessary or useful they may be for the publick Good.

As soon as the present unsettled Affairs of this Province will permit me I propose to lay a Memorial before Your Lordships of the State of the Indian Affairs & of what I think may be most proper to be done to make the Indian Nations the most useful to the Kingdom of Great Britain & its Colonies; but I must in the mean time beg Your Lordships to represent to His Majesty the necessity of strengthning my hands & supporting me in the measures which may be necessary for preserving the Fidelity of the Indians, & their Dependance on the Crown of Great Britain, & this without Delay.

Your Lordships will perceive from the Inclosed Extract of a paper which the Gov^{r} of Canada had sent among the Indians, what Artifices he is using now at the commencement of the peace to infuse among them, of the English, & to withdraw their affections from us.

I am with the greatest respect, My Lords,
Your Lordships most obedient
and most humble Servant.
G. Clinton.

New York
3^{d} June 1749.

To, The Right Hon^{ble} The Lords Commiss^{rs} for Trade & Plantations.

Marquis de la Galissonière to Governor Clinton.

[New-York Papers, Hh., No. 30.]

[TRANSLATED FROM THE FRENCH.]

Quebec, 25th August 1748.

Sir,

Your Excellency's letter of the 24th of May being dispatched in time of war, I ought not be surprised at the bitter complaints it contained on the subject of the incursions of Canadians and Indians into the territory of New England; but as you have doubtless ere this found out by the return of peace that nothing occurred during this last war except events and misfortunes inseperable therefrom, I hope you will be so good as to dispense with my answering that point more at length, the rather that, as you do not cite any particular act nor accuse any individual by name, it would be difficult for me to undertake the justification of all the Canadians and all the Indians. I doubt not but Mr Shirley has communicated to you some complaints which I made to him on my side, last autumn and spring, and which I am about to repeat to you.

Notwithstanding the unceasing attention paid by the Marquis de Beauharnois, my predecessor, and myself, to recovering from the hands of the Indians the greatest number possible of English people, and to procure them a prompt return into their country, having sent back forty one by sea, belonging to the Province of New-York alone, your government has distinguished itself from that of Massachusetts and the others, by retaining to this day our prisoners, and leaving them in the hands of the Indians, who, it is said, still have eighteen exclusive of the five you have just restored.

This conduct, which I am persuaded Your Excellency has not approved, would have obliged me, had the war continued, to retain here all the prisoners belonging to the Province of New York, until that government had adopted more favorable sentiments towards the prisoners on both sides. But peace being reëstablished, I shall modify this resolution as much as possible, without failing in what I owe to the security of the French Canadians, who are still detained throughout the extent of your Government, exclusive of the forty-one you have already received, and who have been replaced by only five. I have given Mr Thomas William those, the list whereof is hereunto annexed.

I do not include the twenty-four prisoners of old France in the account, because I had already begun, last year and this, to send back all the English belonging to Old England and the other Colonies, a great number of whom I had here, and I daily send off the remainder of them by every opportunity.

I have to submit to you some personal complaints, wherein I refer myself entirely to your justice. The Peace ought to put an end to National animosities, but it is a mark of friendship to make known to each other those who by their conduct or discourse, may afford cause during the war for grave reprisals. The first is against an officer who was in command at Sarastow, in the month of October and November, 1746, in presence of whom some English or Dutchmen, and not Indians, burnt in the hand with touchwood, a Canadian named L'Esperance who had been taken by some Mohawks at Isle la Mothe. This man is here, and will bear all his life the marks of that barbarity. The 2d against Mr Chew, who had informed you that he was not well treated during his imprisonment at Quebec. On this point I request to interrogate those who

were there at the time, who spoke so well of the good treatment they experienced here, that Mr Shirley had thanks returned therefor to my predecessors and me.

The 3d complaint is more vague, for I cannot name any person, but I am as certain as possible that the English have promised money to some Indians if they would assassinate the Commandant of Detroit and some others.

I come to your demand for Indian prisoners, whereunto I beg you to permit me to answer.

First. That the Indians are not subjects of Great Britain.

2d That we have not, nor had any war with the Six Nations of Iroquois, who have continued to live in terms of friendship with us for forty-five years, with the exception of the small party of Mohawks whom the other Cantons disavow.

3d That the Nations can come as they promised, to negotiate for the restoration of those prisoners, but this in no way concerns the English.

4th That Article 15 of the Treaty of Utrecht, to which you refer me, does not name the Iroquois, and though it did so, it would be null in their regard, since they never acquiesced therein; we have always regarded them as Allies in common of the English and French, and they do not look on themselves in any other light.

I beg of you, then, Sir, to detain no longer, as the war appears to authorize you, the Iroquois deputation which is to come here. I beg you, still more urgently, and in the immediate interest of your people, to forbid, more vigorously than ever, the underhand doings of your traders to assassinate Frenchmen in some isolated posts. Such plots cannot be long concealed; they were but too common during the last peace, and would oblige us to have recourse to reprisals, as cruel as they are easy, and which are extremely repugnant to me. Wherefore, I warn you, beforehand, in order that it can be said that we are laboring to cement the peace even before it is entirely concluded and the conditions are communicated to us. It is with this view that I send, in company with Mr , your deputy, Lieutenant Desligneris, of the King's troops, to negotiate with you the exchange of the Canadians who are prisoners at New-York.

On restoring them to me I shall liberate all the English and Dutch of New-York, in my hands. I know not if it will cost you much, but I have made the first advances, and what sum you expend will not equal our disbursements, as the number of your prisoners, of all classes, exceeded four or five times that of ours.

As for the few who will still remain in the hands of our Indians, you have only to send back some one with Mr Desligneris, and you may rely that I will facilitate their redemption as much as possibly lies in my power.

I have the honor to be, with respect,

Sir,

Your Excellency's most humble

and most obedient servant

La Galissonière.

A true copy, examined and compared with the original paper.

Peter De Joncourt,

Interpreter of the French language.

Lieutenant Desligneris to Governor Clinton.

[New-York Papers, Hh., No. 31.]

[TRANSLATED FROM THE FRENCH.]

To his Excellency, Monsieur de Clinton, Captain-General and Governor of the Province of New-York.

Sir,

I take the liberty of most humbly representing to Your Excellency that the advanced season makes me greatly apprehend difficulties on my return to Canada, and pray you to be so good as to accelerate my departure. My voyage to this country has no other object than the release of the Canadian prisoners who remain in the hands of the Mohawks, and I assure Your Excellency that if you deliver them to me all the prisoners belonging to the Government of New-York, as well as the Indian prisoners at Quebec, will be restored to liberty and sent back as soon as the season will permit.

Sir, Your Excellency has done me the honor to tell me that had the Marquis de la Galissonière sent back one only of the Indian prisoners, it would have greatly facilitated the recovery of our Canadians from out the hands of the Mohawks, but that he not only did not do so, but even does not say when he will send them.

To the first point I answer, that the Marquis de la Galissonière sent several of them back last year who had promised to return to negotiate the exchange of their people and to bring us back our Canadians, and that since that time they have made no movement to that effect. Therefore, he was not bound to trust them any more.

To the second, I answer, that it is the Marquis de la Galissonière's intention to release the Indian as well as the English prisoners as soon as we shall have our Canadians; and if he does not make mention of them to your Excellency, it is because he does not regard those Indians as subjects of the King of Great Britain. In fact, were they such, would not those have been punished who, after having come with a message to Montreal, treacherously killed and carried off some Frenchmen from Isle la Motte; and would not those have been condemned to death who are killing each other daily in drunken debauchery? The King does not tolerate such disorders among his subjects.

It has been asked of me, Sir, on the part of Your Excellency, if some of our prisoners were now surrendered, with a promise to send back the others in course of time, whether the Marquis de la Galissonière would release all those we have in Canada? I answer, I do not believe that he would, but am persuaded that if it be impossible to have them all at present, and that a portion of them are given up to me, the Marquis de la Galissonière will also release some of yours, because I know that he is well disposed to live in friendship with this government, and to avoid all sorts of subjects of difference. I have reason to think, Sir, that Your Excellency entertains the same sentiments. Wherefore, I flatter myself you will make every effort to withdraw our Canadian prisoners out the hands of the Indians and restore them to me; especially when you will be informed of the care with which the English prisoners in the hands of our Indians have been redeemed. Messrs Williams and Vanderheden can render faithful testimony thereof, since they themselves have been witnesses of the pains which the Commandant of Montreal took to that effect when they were in that city. I hope Your Excellency will be so good as to return the compliment, and reflect that it is much more the

interest of the government of New-York than that of Canada, that the exchange of prisoners should take place, inasmuch as we have a much greater number of yours than you have of ours in this country.

Meanwhile, my opinion is, that it is highly advantageous to the two Colonies that this exchange should be promptly made, and that it is the surest means of restoring tranquility; by sending immediately to Albany there would still be sufficient time to bring thither our prisoners from the Mohawks; and I doubt not but Colonel Janson, who has considerable influence among that nation, would succeed if he had orders to recover them. I most humbly pray Your Excellency to be pleased to pay attention to what I have the honor to represent, and to dismiss me as soon as possible. I shall be truly obliged thereby.

I am, with the most profound respect, Sir,

Your most humble

and most obedient servant,

New-York, 19th October, 1748. DESLIGNERIS.

A true copy, examined and compared with the original paper.

PETER DE JONCOURT,

Interpreter of the French language.

Governor Clinton to the Governor of Canada.

[New-York Papers, Hh., No. 32.]

(Copy.)

Fort George in New York. 10th Octr 1748

Sir.

In answer to Your letter of the 25th August I am well pleased that you observe the difference of the time in which my former was wrote, and that wherein Yours is.

As soon as I received orders to make Hostilities cease, all the French Prisoners in this Province, taken before the Cessation of arms, being then between three or four hundred, were immediately set at liberty, and sent to the French Colonies at the expence of this Government. I have likewise restored seven French Ships taken by the Privateers belonging to this place, since the cessation of arms, four of which are already sailed from hence, on their return home, and the others are at liberty to go as soon as the Commanders of them shall think proper, so that at this time the French Prisoners in this place enjoy all the Advantages of a peace, those only who are in the hands of the Indians excepted. And as to them it is owing to Your conduct, with respect to the inhabitants of this Province, and the Indians (likewise the King of Great Britains subjects) who have the misfortune of being Prisoners in Canada, that they do not now return with the Officer you sent to receive them.

The care I must have of the King's Subjects under my Government made it necessary for me to suffer them to remain in the State they were 'till the return of the persons I had sent to You with the French Prisoners, that I might form my resolutions according to your conduct. I have sent at several times above one thousand French Prisoners from this place, who while here were entertained in lodgings and carried home at our Expence, You will perceive that we

are in no manner short of what has been done any where in the King of France's Dominions, either in the good treatment of the Prisoners, or the numbers that have been restored: This Governm^{t} has reason therefore more than any other to have their prisoners in Canada well treated and as speedily as possible sent home.

Now, Sir, I am sorry to be under the necessity of complaining that after You knew of the Cessation of Hostilities You refused to set the King of Great Britain's Subjects at liberty, not only those who are in the hands of the Indians but those who are absolutely in Your own power, for which there can be no excuse, and make my releasing the few French Prisoners who are in the hands of the Indians a condition of their Liberty.

I know not what greater demand could be made in time of actual War, and which must be attended with this hardship to the King my Master's Subjects, that if the French were now to be delivered the English must (by the Season of the Year) remain the whole winter in Canada, after the French are returned, or be under the necessity of Travelling in the Severities of that Season. Whereas had you sent all the English Prisoners back with my Messengers and Your Officer both English and French might have returned home with equal conveniency. I must also complain that you still keep the English Prisoners in close confinement, especially Anthony Van Schaick, and John Abeel, who have been so long detained, and who I am credibly informed have been treated with a severity not commonly practised amongst Civilized Nations.

Your conduct has given me a right (which I think otherwise I should not have had) to detain as many of the French Prisoners in this place as I shall think proper, till such time as His Majesty's Subjects shall be all released: Nevertheless that the Subjects of both Crowns may as much as is in my power enjoy the benefit of peace without unnecessary delay I shall immediately give orders to have the French Prisoners who are still in the hands of the Indians to be taken out of their hands. It appears by Your letter you are sensible enough what difficulties attend the doing of this, where the Prisoners have been given up to particular families and adopted. However if you shall restore all the English Prisoners, I undertake to have this done and to restore all them that are desirous to return to Canada.

But to avoid Mistakes on this head I include the Indian Prisoners of the five Nations in the Number of those to be restored, as they are undoubtedly the King of Great Britain's Subjects and when take[n] were under persons who had my commission

As to what you hint that the five Nations are independant and never submitted themselves to the Crown of Great Britain, You are misinformed for they have done it in a solemn manner, and their subjection has been likewise acknowledged by the Crown of France in the Treaty of Utrecht. The Copy of the Article of that Treaty sent with Your letter is not compleat, and from thence I suppose Your mistake arises. M^{r} Burnet formerly Governour of this place has explained this so fully that I think it sufficient to send a Copy of what he formerly wrote to Your predecessor in answer to the same objection which you make, and with which Your predecessor remained satisfied.

But supposing the Indians were only Auxiliaries I have aright to demand the release of them, as well as of His Majesty's subjects who are prisoners of war.

I am surprised at the reason you are pleased to give why twenty four of the prisoners I sent are not to be placed to the account of the exchange of Prisoners. You are I believe not apprized of the great number of French Prisoners that have been brought into this Province, so great a number that all the French Colonies together could not ballance Acco^{ts} with me,

were I to insist on having only Inhabitants of this Colony exchanged for French: and those I sent to Canada were willing to be exchanged there.

I have enquired concerning the ill usage you tell me one L' Esperance rec^{d} in the presence of the Commanding Officer at Saraghtoga and cannot find that any person was, ever brought to Saraghtoga from the Island La Mott, or that any other Canadian has received such ill treatment but I find that a Frenchman was taken at Saraghtoga who was wounded in the hand before taken but afterwards received no kind of ill usage.

What I complained of to M^{r} Chew is that there was not that regard paid to his Commission which I have always had to the Officers and French Gentlemen brought in prisoners to this place, bècause they never were confined to any close prison, but entertained in convenient Lodging. Indeed none of the French brought into this place were detained in prison, but used with more indulgence than is usual any where else. M^{r} Chew acknowledges the Civilities he received from particular Gentlemen but I think Your predecessor might have treated him and others with less severity of continued imprisonment at Quebec.

As to the Complaint you make of some of the Traders giving money to the Indians to assassinate the commanding Officer at Detroit & some others there can be no truth in this, because none of the Traders belonging to this place, ever go near that part of the Country. The English are known to abhor assassinating, and fewer Instances are found of it among us, than in any other Nation. I have that crime in such abhorrence, that if I should have provocation to make reprisals of the same kind thô ever so easily done, I would chuse to punish the Injury by open Hostilities as our nation has always done.

I have as strong assurances as you can have of this, that you complain of, that a very large sum had been promised to the Indians, to assassinate my Officer who had the command of the Warriors of the five Nations and as I hope You know this to be false You will be the more easily convinced that Your complaint is only grounded upon some false Report.

You are no doubt sufficiently apprised of the influence the English have over numerous nations to the Westward, and that the French Interest Decays among them: since then we have reason to think that we shall soon have a general pacification, let us mutually endeavour to cement and confirm the peace by mutual good Offices, rather than by any contrary conduct with regard to the Indians especially.

I shall look on Your behaviour towards the Indian prisoners you have in Your hands as the surest indication of Your inclinations. I must insist that they be immediately set at liberty, otherwise it will be impossible that the Canadians can receive among the Indians all the good effects of peace, which by Your complying with my demands in this particular they may hope for.

As you know how Contrary it is to the Customs and Laws of Nations for one Prince to request the Subjects and Vassals of another Prince to come into his Territories to treat, I hope that whatever resolutions you had taken in the time of War, you will now desist from inviting any of the Five Nations to come to Canada to treat with you, on anything relating to peace or War, or exchange of Prisoners but that you will rather (as you say by way of advance) do every thing that you can for restoring Friendship between the Nations, and in doing this I shall chearfully concur with you.

From the great indulgence that numerous French Prisoners during the War have received in this Province and the general Release I made of them since I received Orders for a Cessation of Hostilities, I have the strongest reason to hope that all the Subjects of Great Britain have now their liberty in Your Government, at least that as soon as you shall be apprised of my

conduct you will fully convince me of Your hearty Inclinations to restore a perfect understanding between the Subjects of the two Crowns.

I would have shewn the regard I have to the character of Your person by sending some person of distinction to you from this Province, but the Season of the Year was so far advanced before Your Officer arrived, and the difficultys and hardships which must attend a Journey to Canada in the winter Season are such as no Gentleman in this place has been accustomed to bear; I am therefore under a necessity to direct the Commanding Officer at Albany to send such persons from thence as he shall think most proper for this purpose, and to return as soon as possible with all the prisoners both English aud Indians, which are in Your hands. I hope he will send such as will be agreable to you.

Before I conclude I must do justice to M^{r} Deslignerie who by his behaviour has gained my esteem, and the esteem of the Gentlemen of this place. It will give me a pleasure to hear of any favours you shall bestow on him on that account. I beg that You will be assured that I have the greatest esteem of Your person and Character and as we make no doubt of a gen^{l} pacification being by this time concluded I hope to have many opportunitys of convincing you with what great regard I am, Sir,

Your, &c

A true Copy Examin^{d} with the draft thereof
laid before His Majesties Council in New York.
Gw. Banyar. D. Cl. Col.

Governor Clinton to the Marquis de la Galissonière.

[New-York Papers, Hh., No. 33.]

(Copy.)

Fort George in New York.
10th October 1748.

Sir.

I have in my letter which I delivered to M. Lignerie answered every part of Your letter which I received from his hands, This goes by Capt. Stoddard in order to settle an Entire Exchange of Prisoners on both sides.

The usage which His Majesty's Subjects Prisoners in Canada have received where many of them have been detained in close prison during many months, and the whole Winter, under great Sufferings, so vastly different from what the Subjects of France have received in this Province where none of them were detained in prison, but supported according to their Quality at large and sent to the French Colonies at the expence of this province, or to other places as they themselves desired; and Your detaining the English Prisoners which were absolutely in Your own power, after the Cessation from hostilities had taken place, when I had set all the French Prisoners in this Colony at liberty, excepting only those who are in the hands of Indians makes it necessary for me to keep the prisoners which are in the hands of the Indians till such time as I have secured the liberty of the English and Indian Prisoners now in Canada in such method as shall be agreed upon by Captain Stoddard who carries this letter to you.

I cannot doubt that you have an inclination to restore Amity between the Subjects of both Crowns that Calamities of War may as soon as possible cease every where between them, and therefore I expect that you will immediately set all the English Prisoners at large and especially the Indians, that they may return as soon as the season of the year will permit them. And as I shall understand that you have complied with this demand, I shall give the necessary orders that all the French Prisoners in the hands of the Indians who are willing to return to Canada be in readiness to be restored, according to the Agreement which shall be made by the person I now send.

To
Monsieur Galissonière

Instructions for Captain Stoddard in order to settle an inter exchange of Prisoners between me and Monsieur Galissonière, Gov^{r} of Canada.

That since the Governor of Canada has detained the English Prisoners & several of them in close prison after he knew that the cessation from Hostilities had taken place, and after I had set all the French, who were prisoners in my government, at liberty except a few in the hands of the Indians, you must demand of him to set all the English Prisoners (including the Indians immediately at liberty, without distinction, with leave to return home as soon as they can.

If this cannot be done that whereas Anthony Van Schaick and John Abeel and the Indians taken with them have been kept in prison above Months, and used with greater severity than is usual among civilized Nations, and that since many who have been taken since they were, have been set at liberty, and they are still confined in close imprisonment. That considering the severe usage they have received you are to make it a condition previous to your entering into any Agreem^{t} for the delivery of the French Prisoners now in the hands of the Mohawks, That Anthony Van Schaick and John Abeel and the Indians taken Prisoners with them be set at liberty, and sent to Albany as soon as the Season of the year will permit them to travel.

If this be refused you must protest against the inhuman usage the prisoners have received and against the Gov^{r} of Canada refusing to give them liberty to return home, as a breach of the cessation from hostilities agreed to by the Crowns of Great Britain and France, and immediately as soon as the Season will permit you return home to give me an acco^{t} of Your proceedings and demands and usual passports for the purpose.

But if these two Men and the Indians taken with them be set at liberty to return one of those persons who go with you is to return as soon as possible with them, and you may enter into an Agreement with the Gov^{r} of Canada to have all the French Prisoners now in the hands of the Indians, who are desirous to return to Canada restored at Albany, provided all English Prisoners be restored at the same time and place. If you cannot obtain this Exchange to be made at Albany you may agree to have it made at Crown Point.

You are to make inquiry into the state and numbers of the English prisoners now in Canada, and transmit to me an account thereof as soon as you can. And you are from time to time, and as often as you can, to transmit to me an account of all Proceedings in Canada which may be proper for me to know on this occasion.

Marquis de la Galissonière to Governor Clinton.

[New-York Papers, Hh., No. 34.]

[TRANSLATED FROM THE FRENCH.]

Quebec, 29 December, 1748.

Sir,

I have answered the two letters you wrote me on the 11th October last, O. S.; one by M. Desligneris, the other by Mr Benjamin Stoddert.

It is unfortunate for those, both English and French, whose captivity still continues, that the Council of New-York has not assented to the propositions I had made for their prompt deliverance, and did not perceive that it is impossible for me to restore the English so long as the French will remain in the hands of the Indians. The frankness and confidence I have exhibited in sending you back thirty-one prisoners by M. Desligneris, merited, it seems to me, a like attention on the part of your government. I had the same reasons to detain them as the others, as I could not have other securities nor better hostages. In fine, throughout the whole of this proceeding, I discover neither the mildness which you have evinced to the French prisoners even during the war, nor the anxiety so natural to Englishmen to withdraw their countrymen from their disagreeable situation here. Your Council did not even entertain the proposition M. Desligneris submitted to you, to deliver a portion of the French to him, in exchange for whom I would have surrendered some English, so much did the desire of gratifying the Mohawks prevail in that body over what was due to its own countrymen.

I see by your letter and the Council's answer, which has been communicated to M. Desligneris, that the difficulty proceeds from the opinion you entertain that the Mohawks are subjects of Great Britain. But even that opinion condemns you, for no subjects of Great Britain have a right or ought to desire to detain the French prisoners, when offered the ransom, or the equivalent in English prisoners.

For my part, as I have already advised you, I do not look upon the Mohawks as subjects of the King of Great Britain, and their independence is so well established, that assuredly no educated Englishman can gainsay it.

I sent you the copy of Article XV., of the Treaty of Utrecht, as I had found it in a copy printed at the Hague chez Adrien Moetjens, in 1734, in which this Treaty is in Latin only. Your letter has caused me to make further researches, and I have found a copy of the same Treaty, printed at Utrecht chez Guill. Van der Watter, in 1713, in which there is an additional word that seems favorable to your pretensions, as you will perceive by the copy hereunto annexed. But I pray you observe,

First. That as there is question only of Five Nations, and there being several others such as the *Loups* and the Moräigans, whom the Crown of England wishes to regard as Subjects, I am not obliged to count the Mohawks among the Five Nations reserved.

2d. That I am not obliged to attach more confidence to the copy which appears favorable to your pretensions than to the other.

3d. That neither can I be obliged to regulate myself entirely according to the Treaty of Utrecht until I know to what extent it will have been adhered to in the New Treaty.

4th That neither the Treaty of Utrecht nor any other similar one can make the Iroquois subjects of Great Britain. They claim to be free, as they have declared an infinite number of

times, and as their conduct, and yours towards them proves, inasmuch as for one hundred and fifty years they have concluded peace and made war independent of you, and often in opposition to you, without your having ever attempted to force them to obey you. The Plenipotentiaries of Utrecht could not, then, legitimately subject them to you. The English are too well read in the Law of Nations not to appreciate this truth.

As for the rest, neither you nor I have sufficient power to decide the difficulty (if one existed); neither is this decision in any way necessary for the liberty of our respective prisoners; we can agree to that independent of all other reciprocal pretensions. The liberty of these poor captives cannot either favor or oppose our respective rights; therefore, it is not that which stops me, and were the Canadians in your own hands, I confide sufficiently in your justice and humanity to send you back the English; but the Mohawks would find too many reasons and too many pretexts to detain the Canadians. Therefore, Sir, I cannot, to my great regret, do otherwise than adhere to what I first stated to you, and I repeat, as soon as the Canadians will be sent to Fort St. Frederic, the English shall be set at liberty; I have so much the more right to detain them, inasmuch as I have redeemed them all from the hands of the Indians and at a heavy expense; and as, until you have done as much on your part for the French who are with the Mohawks, the English, whom I have, ought to be considered still with the Indians; and it is to be apprehended that, if the war break out again, my successors will remember the small amount of gratitude I meet with from your Council, and will not be in as great a hurry as I have been to redeem the English from slavery. And I have thus acted at the solicitation of Mr. Shirley, who has assured my predecessor and myself that he should do as much in his government, and that he doubted not but the others would conform thereto. As regards the Mohawks, I confess I am astonished that you push your complaisance towards them to the extent of obliging a goodly number of your citizens, among whom, it is reported, there are some above the common rank, to suffer more than six months imprisonment, to gratify a handful of those Indians; and that you should render the liberty of Englishmen dependent on the caprice of Mohawks. They are, you say, subjects of Great Britain or auxiliary troops. But I have no proof of their being either the one or the other. They have given no evidence, up to this time, of their having acceded to the suspension of hostilities, which exists between the English and the French; and though they be all you wish them to be considered, I must not yield to them so far as to surrender their prisoners to them before I have mine; and I ought not even do so, before I have the assurance, on their part, that they will respect the peace. Nevertheless, I am so impatient to see an end put to the sufferings of my people and of yours, that I have already sent word to the Mohawks that, provided all the French in their hands be brought back to me without exception, I would restore them their people; and permit me to tell you, that were it not for the insinuations of those of Orange, the Canadians would be here and you would have your men long ago. People have gone the length of telling the Mohawks that it was useless for them to surrender our prisoners, inasmuch as their brethren had died in prison; previously to that, those Indians had been given to understand (as if from you) that you would oblige their prisoners to be given up to them without their surrendering ours; as if you had been capable of supposing that any body in the world would be such a dupe as to afford a like advantage to a nation, and more especially an Indian nation, so insignificant as that of the Mohawks. These fine hopes have, however, been held out to them at a time when we had here more than fifteen English belonging to New-York and

Massachusetts for one Canadian among the Mohawks. The annexed list will afford you a proof thereof. I do not include those taken at sea, of whom I know that you have had a much larger number. But this is not the question, at present, between us. We are speaking only of those who have been ransomed from the Indians; scarcely one of whom but has cost a hundred *écus*. They would have complained with a very bad grace, of having been in prison, having been as well lodged as they could be in the barracks, which are at present occupied by a portion of the garrison; they might have had more freedom, were it not for the facility that exists of escaping hence to New England; which is not the same at New-York, for persons to return here.

Secondly. People were at work at the fortifications, and there might have been among these prisoners, persons capable of carrying you the plan of the works.

3^{d}. War parties were very frequently setting out, of which it was not fitting that they should have any knowledge.

4th. They would be exposed to be insulted by the Indians.

5th. They themselves, it was, who very urgently entreated to be withdrawn from the Indian villages, and who preferred the prison.

The reason you give for not having sent back the Canadians this fall, namely that the English here would not have a favorable time to return, will afford them scarcely any consolation for your having prolonged their imprisonment six months. For if, on the reception of my letter, which you had on the 4th of October, you had sent back the Frenchmen, the English would have been, long since, at home. If, however, it be the parsimoniousness of your council that prevented the ransoming of the Canadians, it is very ill-judged; you expend considerable in useless journies, and the longer the Indians retain their prisoners, the more attached will they become to them, and the dearer will they sell them to you.

You allow me to perceive an exception of which the Mohawks might possibly take advantage, that is, to send back the prisoners on the supposition that they wish it. This may apply to persons of a mature age, but cannot be applicable to the children. I am ashamed of always referring to myself, but I have this spring and in time of war delivered to Mr. Hawks, one of his relatives, to the great regret of the Indians to whom he belonged, and against the will of the child, who, it is true, cost a high price. I acted in the same manner towards some others.

As I do not admit the sovereignty of the crown of England over the Iroquois, I have no answer to return to what you write me on that head. They have come here regularly every year for forty-five years, and though I might wish to dissuade them from it (which I have no desire to do) I would, I think, find a difficulty in effecting it. They must calculate on being always welcome so long as they will observe the treaties which exist between them and us, and which they have annually renewed.

Those whom we here call Western Tribes being at a great distance from our frontiers, I do not well understand what you observe to me respecting them, and, besides, the Crown of England has never had either right or pretensions to intermeddle in what was occurring between those nations and us. The best way to prevent disorders and to maintain, among those people and the other Indians, the peace which is as useful to you as to us, is to prevent the English, and especially the Dutch, going to trade to the places whereof we are, from all time in possession, and to oblige those traders to withdraw, who on the occasion of the war,

might have transgressed the ancient boundaries. This is what I would do, on my side, in regard to the French, if I knew of any so acting, and I request you to be so good as to do the same on your side.

I notice an objection offered by Mr. Stoddert in regard to some English people who may yet remain in our Indian villages, to which I answer that the difficulty of recovering fifteen or eighteen Canadian prisoners, which I had no right to anticipate, has suddenly arrested me, and that, having withdrawn 280 persons out of slavery, I consider I have done enough until you ransom fifteen or eighteen. Nevertheless, after my prisoners will have been restored to me, I shall procure for the families of whatever English will still be remaining in our Indian villages, every facility in my power to recover them. I cannot forbear adding, that I am out of pocket in their regard, as in all the other cases. I was not satisfied with delivering to Mr. Thomas Williams, and to your second deputy all the prisoners I had, with the exception of those whom I could not help detaining as hostages for my people; I left them at liberty to negotiate, themselves, with the Indians, and I have so aided them that they have ransomed several comrades *(compères)*. I beg of you [to contrast] this conduct with that observed at Orange and New York towards Mr. Desligneris, who has not been permitted to speak to a single Mohawk.

Notwithstanding the exceeding great length of my letter, it yet remains for me to answer what regards some Dutchmen who have been taken disguised like Indians, although I have already done so on a former occasion. As this masquerade is unworthy of Englishmen and of all civilized nations, and can have no other object than to commit with impunity all sorts of cruelties and treacheries, I cannot do otherwise than approve of my predecessor, having treated those Dutchmen as Mohawks. Neither he nor I have tolerated such disguises among the French; nevertheless I have had more compassion for these Dutchmen than they deserved, and they have been treated, for nearly a year, like the other Englishmen. I even send back one of them for whom his brother has become a hostage. In this case, as in all the others, we have been more indulgent than your government, when I do not perceive that the life of one of our Indians has been spared, although it is sufficiently evident that some were taken alive.

Mr Stoddert submitted to me another objection in regard to some English people who have been carried off, he says, since the suspension of hostilities; to this I answer, that the suspension was not then known, either here or at Orange, inasmuch as the prisoners said nothing about it to the French officer who was in command of the detachment which took them, and, moreover, I look upon neither these nor the others as prisoners, but as hostages and bail for the liberty of the Canadians.

You see by my letter, although I do not explain myself thereupon, that your deputies and especially Mr. Benjamin Stoddert, have acquitted themselves very well of their commission. I am highly pleased with his politeness, and I request you to be so good as to shew by your favors, that you respect my recommendation. I shall have the like attention for Mr. Desligneris, as I am delighted that he has demeaned himself in a manner agreeable to you. I send him back with Mr. Stoddert to try and abate the difficulties. I doubt not the best means would be, as I have already suggested, to allow Mr. Desligneris the privilege of negotiating directly with the Mohawks. It is greatly to be desired that this matter should be speedily terminated. The season has been so unfavorable that your delegates have remained at Quebec

an entire month, arrested by the bad weather, though I had given them their answer the day after their arrival.

I am, with respect, Sir,
Your most humble and most obedient servant,
La Galissonière.

A true copy, examined and compared with the original.
Peter De Joncourt,
Interpreter of the French language,

Mr. Banyar to Lieutenant Des Lignèris.

[New-York Papers, Hh., No. 88.]

(Copy)

Secretary's Office New York,
29th March 1749.

Sir.

His Excellency has received Your letter of the 19th Instant in answer to that which I wrote to you on the 17th of the same Month, and hath been pleased to direct me to acquaint you, that althô he might in reason expect that upon the Treaty of Peace being notified to the Governour of Canada all the English Prisoners in his hands must be released. Yet in compassion to the prisoners, and to remove them from their present unhappy situation as soon as possible, his Excellency is unwilling to omit or neglect any means in his power that may be conducive to a mutual Exchange of Prisoners, and therefore hath ordered me to make the following Proposals.

1st That His Excellency will release twelve French Prisoners in the hands of our Indians, if the Governour of Canada will on his part set liberty the five Indians of the Six Nations now in Goal at Quebec, and all the English Prisoners both Christians and Indians that are now in his power.

2ndly That the said Prisoners be exchanged at or near Lake St. Sacrament.

3dly In respect to the other French Prisoners who remain in Captivity among the Indians, His Excellency will facilitate their Redemption in like manner as the Governour of Canada has promised to do in regard to the English in captivity among the French Indians.

These, Sir, I am to signify as His Excellency's ultimate Resolutions and that His Excellency will expect Your answer to this in writing, when you have had a resonable time to consider of the matters proposed.

I am Sir,
Your most Obedt humble Servant
G. Banyar,
Deputy Clerck of the Council.

A true Copy, Examd pr
Gw. Banyar, D. Cl. Con.

Lieutenant Des Ligneris to Governor Clinton.

[New-York Papers, Hh., No. 89.]

[TRANSLATED FROM THE FRENCH.]

Sir,

It was only this moment that I could obtain the translation of the letter which was written to me yesterday by order of your Excellency.

The Marquis de la Galisonnière did not set at liberty all the English prisoners at the time he was informed of the suspension of hostilities, because we had then, among the Mohawks, a number of Frenchmen, and no steps had been taken to liberate them from the slavery in which they had for eighteen months been. Nevertheless, as he has nothing more at heart than to see an end put to the uuhappy lot of the prisoners on the one part and on the other, I can assure your Excellency, in his name, that if you surrender to me all the French prisoners, he will immediately liberate all the English and Indians, in his hands. If you deliver to me only twelve French, he will give up the same number of English; but there is no probability that he will release any Indian prisoners, so long as there will be any of our French among the Mohawks, who would trouble themselves but little, if once they recovered their people.

In my opinion, Sir, the exchange of prisoners could be made more easily at Fort St. Frederick, at which place more accommodation and conveniences could be found than at Lake St. Sacrament, where those who would arrive first would be obliged, perhaps, to wait a long time for the others, and where it is difficult to convey a stock of provisions, in consequence of the Rapids and Portages which intervene between Albany and that place.

Your Excellency promises to facilitate the ransoming of whatever Frenchmen remain among the Mohawks. You will permit to answer thereunto, that the General of Canada, having ransomed about two hundred and eighty English from our Indians, has reason to hope that this government will not oppose any difficulties to doing the like for the small number of our French who yet remain among the Indians. For the rest, Sir, if your Excellency would approve of my negotiating with the Mohawks, perhaps I might induce them to surrender all the French, so as to recover their five men, whom the Marquis de la Galissonière would release with all the English in his hands. And if I had the honor of treating *vivâ voce* with your Excellency, matters would experience less difficulty and terminate more promptly.

I am, with the most profound respect,

Sir,

Your most humble and most

Obedient servant,

New-York, 10th April, 1749. DESLIGNERIS.

A true copy, examined and compared with the original

Pr. PETER DE JONCOURT,

Interpreter of the French language.

Lieutenant Des Ligneris to Governor Clinton.

[New-York Papers, Hh., No. 40.]

[TRANSLATED FROM THE FRENCH.]

Sir,

Finding no interpreter to day, I take the liberty to write to your Excellency for the purpose of submitting a new proposition, which is this: As Mr. De Johnson withdrew only twelve or thirteen Frenchmen from the hands of the Mohawks, and you were not willing to receive a like number of English in exchange, if your excellency will consent to deliver these Frenchmen to me, the Marquis de la Galissonière will release all the English in his hands, whatever be their number; and measures will be afterwards adopted to recover whatever prisoners will remain on the one side and the other. This will always be so many unfortunate people extricated from the painful situation in which they have been for so long a time, and an approach to the liberation of the others.

Had I been permitted to negotiate with the Mohawks, I am convinced that I should succeed in what I would propose to them, which could not fail to be advantageous to both sides, and would not form any precedent. Your deputies experienced different treatment in Canada; they spoke, whenever they pleased, to our Indians, out of whose hands they received some Englishmen, who would still be in slavery, had not the privilege been granted to those deputies which is denied to me here.

I cannot omit assuring your Excellency that I am persuaded that the General of Canada, after all the useless trouble he has taken to put an end to this affair, will quietly await the bringing back of his prisoners, before he will dispossess himself of those he has in his hands. If the proposal, which I have the honor to submit to you to-day, cannot be accepted, I pray your Excellency to be pleased to let me depart for Albany, so that I may return to Canada as soon as possible.

I am, with the most profound respect, Sir,

Your most humble and most obedient servant

New-York, 14th April, 1749. DES LIGNERIS.

A true copy, examined and compared with the original

Pr. PETER DE JONCOURT,

Interpreter of the French language.

Governor Clinton to the Marquis de la Galissonière.

[New-York Papers, Hh., No. 41.]

(Copy.)

S^r^ Fort George in New York, April 3^d^ 1749

In answer to Yours of the 29^th^ of December last by M^r^ Des Ligneries I must observe that as we are now well assured that a definitive Treaty of peace is concluded between the Crowns

of Great Britain and France, the differences between you and me are on quite another footing from what they were before this: For we are likewise assured that by this Treaty all Prisoners on both sides are to be set at liberty without ransom or any consideration of numbers, and therefore any treating on this Subject between us is entirely at an end, since a general Release of all Prisoners on both sides is finally agreed to by our Masters, But as the Season of the year has prevented my receiving orders in pursuance of the treaty of peace, and may prevent Your receiving Yours for some considerable time, I was desirous to shew my sincere Inclinations of Freeing the French as well as the English Subjects, from the unhappy situation into which their misfortunes in War had reduced many of them, and therefore I proposed to Your Deputy that though I had already set at liberty all the French Prisoners who were in my power, and not in the hands of the Indians, and who were in much greater number than all the English Prisoners that had been brought into Canada since the commencement of the war; I would further deliver up twelve of the French who are in the hands of the Mohawk Indians on condition that you at the same time deliver up all the Prisoners who are in Your power, Indians as well as Christians, and that the exchange be made nigh Lake St. Sacrament, near the Frontiers of our Governments, and that as to those who still remain in the hands of our Indians, I would facilitate their Redemption in the same manner as you promise to do for the English Subjects Captives in the hands of the French Indians. But this Your Deputy Mr Des Ligneriees refused and says he is assured you will never agree to, but that I must in the first place deliver up all the French, and then you will facilitate our Redeeming our Prisoners by our paying a ransom for them, to the French Indians. This is giving the law (and a very unequal one) which I am confident cannot be received by any English Governour.

All the British Subjects who are now prisoners in Canada were taken by parties sent out by the Governour of Canada and commanded by his Officers whether they were French or Indians, and therefore those British Subjects are prisoners to the King of France: they are then included in the Treaty by which the King of France promises and stipulates to set at liberty all Prisoners without distinction as to number or otherwise, and without ransom, and as no doubt the King of Great Britain has in like manner promised with respect to the French Prisoners any where in his opinions.[1]

Now, Sir, I must repeat to you that I am not only willing but very desirous to set all the prisoners who are in my Government at Liberty, whether they be French or Indians, and nothing can hinder me, but the contrary disposition which you shew with regard to the King of Great Britain's Subjects, and the Indians who were in his Service. This necessarily restrains me from it, 'till I have proper and Sufficient Assurances that you will do the like to the King of Great Britain's Subjects.

It is become absolutely necessary for me to take this precaution after you tell me that you keep such a number of his Majesty's Subjects as Hostages for the delivery of the French Prisoners in my Government, and insist that the French be set at liberty, before the British Subjects have their liberty: At the same time you refuse to set all his Majesty's Subjects at liberty, as I offer to the French, but tell me that the English must go and purchase the liberty of numbers of their fellow Subjects from the Savages in Your Government and that you will only assist them in making the best market they can. This supposes that you have given up the British Subjects taken in the War, between the Crowns of Britain and France to be slaves to Your Savages, and the supposing of this is an indignity to the British Nation, in which I am

[1] *Sic.* dominions. — Ed.

confident Your Master will not justify you. The reason you give for this conduct is the great Expence you have been at in redeeming many of the Inhabitants of this Province from the Indians: This might have some weight if we were treating for an Exchange of Prisoners during the continuance of a War, but can have none after the conclusion of a Peace, and after it is stipulated that all prisoners on both sides shall be set at liberty without Ransom or other condition.

If the Indians with whom these unfortunate people are prisoners had been an Independent people, and had made War of themselves, indepently of you, this Offer of assistance for the redemption of the prisoners might be received as a good Office; but as they did not make War of themselves, but only in the Service and pay of the King of France, and under the command of his officers, whatever prisoners they take (by the law of Nations) must be looked on as a Prisoner of War, in the power of the King of France, and consequently are included in the Treaty of Peace.

Another reason which You give for detaining the British Subjects is that I have not sent a number of Canadians to Canada, equal to the number of Prisoners of the Inhabitants of this Province that you have sent: This argument might have some force if Canada and New York were independent states, but as the one is subject to the King of France, and the other to the King of Great Britain, when the Number of Prisoners released on each side comes to be considered, whether they be of New York or Canada is of no more consequence than whether they be of Bristol or Bourdeaux.

You must be sensible Sir that I have released and sent to the French Islands and to Canada above three times the number of French that you ever had in Your power of the English, and at a much greater expence than you could be at, in taking the English Prisoners as you term it, out of the hands of the Indians: But I have still something further to complain of, which is, Your refusing to set at liberty those who were taken since the cessation of arms took place, under the pretence that it was not then known. If I could have imagined that you would have made use of such Pretence I could have detained seven French Ships with their Crews and Cargoes who were taken before the Cessation of Arms was known by the Captors, and brought in here Your Conduct would have justified me in detaining them as Hostages for the Liberty of the British Subjects in Canada and they would have been a sufficient Security.

You may see with what mildness and candour I have hitherto acted, and I hope that you will not give precedents that may hereafter prove prejudicial to the Subjects of France.

In Your letter to me You are pleased to insinuate that Your Successors (if the War should unluckily kindle again) may remember the little acknowledgment you find in the Council of New York for Your taking the English so speedily out of Slavery. The Council and people of New York have given such proofs of their humanity by the Treatment which great numbers of French Prisoners have received in this Government beyond what the English have met with in any of the French Dominions that none who know and have any sense of gratitude can remain insensible of it. and if the Canadeans should not at any time hereafter be restrained by a sense of gratitude, and Humanity, yet I doubt not the great disproportion in force and strength between the British Northern Colonies and Canada will restrain them.

I am truly sorry, S^{r}, that the peace between the two Nations should commence in this manner between you and me, by my being put under a necessity of making such heavy complaints: But I perswade myself that whatever inducements you had for your conduct before you was assured of the peac ebeing finaly concluded you will now heartily join with me

in removing everything that may prevent the restoring amity & a good understanding between the subjects of both Crowns in our respective Governments which cannot be done without a punctual compliance with my desire of setting all the Prisoners at liberty without distinction or exception, and I confidently expect from the Professions you make of Candour and humanity that you will not delay in freeing the Prisoners in Your Government from the unhappy Situation they are now in. I should even have been pleased to have prevented you in every good office to the Subjects of France in my Government, that you can desire or expect of me, if you had not restrained me by Your putting Conditions and Limitations to the liberty of the British Subjects which I think injurious to the honour of the British Nation, and contradictory to the pacification so lately made between the two Crowns. I hope soon to hear from you, that you have entered into the same sentiments with me, that I may lay hold of every opportunity of showing with what regard, I am,

G. C.

A true Copy, Exam^{d} & compar^{d} with the Draft thereof laid before the Council in New York.
P^{r} Gw. Banyar, D. Cl. Con.

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 44.]

May it please Your Excellency

I am honoured with Yours of the 31st of March and 5th of April which I should have answered before but was so much hurryed in getting necessaries for the French Gentlemens journey &c that I realy had not time & every thing is so scarce & dear here that it was with the greatest difficulty imaginable I could accomplish it. The day before they left Albany (which was 20th Inst.) I had an Express sent for me by the Sachems of the five Nations, who were then two days at my house waiting my return, Whereupon I was obliged to go home and meet them. Their Chief business as they said was to condole the death of Gingego who was killed last year, as is customary, but I found afterwards that some of them were agents for the French Governour, who assures the five nations that if they will only bring him four of the French Prisoners, which the Indians took out of his Government that then he will deliver up all the Indians who are in Goal to them immediately; this was spoke in a full meeting at my house by an old Onondage Sachim who went last fall to Canada with some more of the five Nations, & is now returned charged with this Embassy. It appears to me plainly that the French are only endeavouring all in their power to bring about an Exchange with the Indians, that by that means he may increase his interest among them and have an opportunity of corrupting them further when he gets them there, as he always does. I shall use all my endeavours to overset his design, as I am sensible his succeding in it would produce worse consequences than any body is aware of. I should think it would be very good if Your Excellency could fall upon any Method to prevent their designs, or schemes, by getting the Indians out of their hands otherwise it will be difficult to keep the five Nations from taking some of their Prisoners to Canada and make a trial themselves, as they see we can not succeed after giving us up so many prisoners

for that end. I think that after the peace is proclaimed they will retain the Indians in goal untill they get every prisoner here out of the hands of our Indians. Mr Desligneries told me so in Albany, which, if so, would be a very wrong and cruel thing. I must acquaint Your Excellency that the Inclosed Extract of Your and Governour Shirley's Letter (in the malicious manner the French represented it to some of the five Nations who were there last fall) has caused a great deal of uneasiness among the Indians, telling them that you and Governour Shirley by Your letters look'd upon them as Slaves, or Dogs, to the English & several other confounded wicked things they had infused into the Indians' heads, among the rest begged of them to be watchfull and on their guard that the English were determined the first oppertunity to destroy them all. I assure Your Excellency I had hard work to beat these (& several other cursed villainous things told them by the French) out of their heads, & make them easy. There are several cannoes of goods sent already to the five nations, by the French, & more expected daily, so that they are now endeavouring all they can at any rate to gain the Friendship of the five Nations, in which I hope we may be enabled to disappoint them one way or other. Your Excellency desires to know what method could be taken to lessen the charge of keeping the French Prisoners, but as the Indians are all a hunting now & I can not know their Sentiments at present. I think the best way is for me to keep them untill they return, then shall speak to them on that head, & let Your Excellency know further. I can make no charge of their maintainance ere they go away from me, otherwise it would be making two Accounts.

I can not help reminding Your Excellency of the necessity there is of sending Arent Stephens to Oswego as soon as possible, to talk with those Nations of foreign Indians, who so often offered us their assistance this war, otherwise they will imagine we despise their kind offer and in all probability turn to the French who would embrace such an Offer at any rate. If Stephens should go, the sooner the better, otherwise he will not meet them there, which would be a great Disapointment and loss. In this case it would be requisite to send some Provisions and Ammunition to give them, such as pork, biscake, powder, lead, shot, flints, pipes and tobacco, which could not cost very much, and would be very acceptable to them, and the means of drawing great numbers to our interest. If Your Excellency agrees to it & only gives me an order I shall find all those Articles except pork, which can not be got here, ten barrels of which would be sufficient, & if it could be sent up by the first Sloop then I would send them all immediately to Oswego. I assure Your Excellency it would do more good at this Conjuncture than any one thing that was ever done yet that way. I am with the greatest respect and esteem imaginable, Sr

Mount Johnson
April 28th 1749

Your Excellency's most Obliged humble Servt
Wm Johnson.

Governor Clinton to Colonel Johnson.

[New-York Papers, Hh., No. 45.]

Sir.

I have Yours of the 28th April & I am well pleased with Your dilligence in discovering the Artifices which the Govr of Canada uses to instill Jealousies into the heads of our Indians &

with Your getting such authentic proof of it by the original paper which you have perswaded the Indians to deliver to you. You must use all the Methods which Your prudence & Your knowledge of the Indian temper will suggest to you for removing those Jealousies & for establishing that Confidence which they ought to have in their Bretheren who have at all times remained their firm friends, & that they ought not to trust the French who were, they knew once, their declared enemys & who only cajole them with fair words in order to deceive them, & to create mistrusts of their true friends thereby to gain an Advantage over them to their ruin. You must likewise let them know that my calling them Subjects of the Great King of Great Britain cannot in any sense be construed to their Prejudice since all the Gov^{rs} of New York are the King's Subjects, & they have always acknowledged themselves to be Brethren to the English and Children of the great King, & that the word Subject is of the same sense & meaning. That the French deceive them by putting any other construction on that word. That the French use their Artifice to persuade the Six Nations to Deny that they are the King of Great Britain's Children, thereby to deprive them of the Benefits they are to receive by the peace which is now made, and that it is only on this pretence that the Governour of Canada detains their Men in prison, because he says the Six Nations do not own themselves to be the King of Great Britain's Children, that if they openly & boldly told the Gov^{r} of Canada that they are the King of Great Britain's Children, he durst not after the peace is made thus detain their people in prison because it would be a breach of the peace. You are likewise to take such prudent Methods that it be not in the power of the Indians to get the French Prisoners out of Your hands without my Consent. I trust to the Experience I have had of Your prudence that you will on all events act in such manner as will be most for His Maj^{s} Service. I send up ten Barrells of Pork to you as you desired, to be sent with Aron Stephens to Oswego, to be given by him to the Mississagues with such other Goods which You have mentioned for confirming them & the other Nations to the Westward in their Fidelity to the Crown of Great Britain, & I trust you to give them such Instructions as you shall think proper on this occasion. But in case they be not come to Oswego soon after Aron Stephens shall get thither, he must not stay long there, because I expect I may have use for him after the arival of the next ship from England. In case these Indian Nations do not arive while Aron is there you are to direct him to leave the present with some person remaining at Oswego, in whose prudence you can have the greatest confidence together with the Instructions which you shall send for their conduct in this affair. I am, Sir, Your very h^{ble} Serv^{t}

New York
19th May 1749.

GEORGE CLINTON.

Governor Clinton's Report on the Province of New-York.

[New-York Papers, Hh., No. 48.]

Answer to the Several Queries from the Board of Trade by the Hon^{ble} George Clinton Esq^{r} Governour of New York.

Q^{re} 1st The Province of New York under my Government is situate between the 40th and 44th Degrees of Latitude. The principal Town, New York, in it is nearly 40 Degrees, 40 minutes

of Latitude & 44 Deg^{s} west from London. The latitude and longitude have been observed by some Gentlemen in this place, but probably not with the greatest accuracy as they were not furnished with the best Instruments for that purpose. The French in Canada join on this Province to the Northward, & their out settlements on the Lakes to the Westward.

This Country is more unequal in its Soil than the Provinces to the Southward there being in sev^{l} parts large Tracts of Mountainous rocky Lands, but in other places, especialy on the Banks of the Rivers amost fruitful Soil either for grain or pasture.

2nd The province of New York is bounded by Hudson's River on the West from the mouth of the said River to the latitude of 41 Degrees on that River, and then by a line running from thence to the latitude of 40 Degrees & 40 Minutes on Delaware River, Hudson's River and the aforesaid line being the boundaries between this Province & New Jersey from 41 Degrees 40 Minutes of latitude on Delaware to the beginning of the 43 Degrees, or to 42 Degrees compleat. On the same River is the boundary between it & Pensylvania & from 42 Degrees compleat a parallel of Latitude divides it from Pensylvania as far as Pensylvania extends, or to the claims of the French of Louisiana. To the Westward from hence & to the Northward no Boundaries setled between us and the French, & most probably will be determined by occupancy or Force. To the Eastward it is bounded by the New England Governm^{ts} of New Hampshire, Massachusetts Bay and Connecticut to the sound between the Main and Long Island, and to the Southward it is bounded by the Atlantick Ocean including Long Island. The Dividing line from Hudson's River to Delaware is Disputed by the Proprietors of the Lands on each side of it. The occasion of the Dispute, so far as I understand it, arises only from private Interest in which his Maj^{s} interest is little concerned any farther than that Justice be done: the Boundary between this Province & Pensylvania is not ascertained upon the land, & this ought to be done to prevent disputes & Encroachments on his Majesty's Lands. The Boundary between this Province & New Hampshire & Massachusetts Bay is disputed, & it is thought those Provinces have made very large Encroachments on the King's lands in this Province, & the King thereby deprived of a very large share of his Quit Rents.

The Province of New York was at first held by grant to the Duke of York, and bounded to the Eastward by Connecticut River, but the Massachusetts Bay having a charter previous to the Duke's Grant, which Extended without limitation to the South Seas, the much greatest part of the Province of New York came under their claim & they still continue to claim and make settlements many miles to the Eastward of Connecticut River within the Bounds of the Province of New York, & the Duke of York's Grant. The Charter of the Massachusetts Bay was vacated and Declared Void by a Decree in Chancery in Charles the Second's time & thereby it is thought the Duke of York's Grant takes place to its full Extent, however the Colony of Massachusetts Bay still keeps up their claim by virtue of their new charter from King William, as the Settlements made by the Massachusetts Bay to the Eastward of Connecticut River would yield a considerable Quit Rent at the usual Rates. This matter deserves to be inquired into. The Boundary between this Province and Connecticut are settled by agreement between the two Colonies with King William's approbation.

3rd. The Constitution of this Government is founded on His Maj^{s} Commission & Instructions to his Gov^{r}. But the Assembly have made such Encroachments on his Maj$^{y's}$ Prerogative by their having the power of the purse that they in effect assume the whole executive powers into their own hands & particularly claim the sole right of Judging of and rewarding all Services, as well by fixing Sallaries on the Officers annualy, as by rewarding particular contingent

Services. But as to this I beg leave to refer to the Papers and Memorials which I have transmitted to their Lordships & the principal Secretary of State on this Subject.

4th 5th 6th 7th & 8th Answered by the Excerpt from the Custom House. But besides the foreign trade by Sea this province has by far the most considerable Trade for furs of any of His Majs Colonies with many Indian Nations scituated within Land, & is the most advantagiously scituated for this trade of any place in North America, & as I think this matter to be of great consequence to the British Trade, I am collecting materials to be laid before their Lordships for their Information on this head. In the mean time I must refer their Lordships to the Papers & Memorials sent while Mr Burnet was Govr of this place, at which time the Indian trade was more particularly enquired into.

9th. No mines have been worked to any advantage besides Iron oar of which there are great quantitys but only one furnace set up in this Province.

Males White under 16 years	Males White 16 & undr 60	Males White above 60	Females White under 16	Females White 16 & upwards	Total Number

Males Black under 16	Males Black 16 & undr 60	Males black 60 & upwards	Females black under 16	Females Black 16 & upwards	Total Number.

Total Number of Whites and Blacks.

11th. It is difficult to judge whether the number be increased or not because of the carelessness in taking the numbers of the inhabitants as the Offices have no Pay for this Service it is performed with reluctancy & it is not in the power of the Govr to reward them otherwise than out of his own pocket.

12th. On this it is to be observed that as there has annualy a Militia Act passed for Imposing of Fines in case of neglect of Duty it is by those who endeavour to increase the power of the Assembly inculcated among the people that the King has his authority over the Militia only by the force of the Acts of Assembly passed in this Province & on that opinion both Officers & private Men seem to regulate their obedience. This deserves Your Lordship's attention as it strikes at an undoubted prerogative of the Crown and may be of dangerous consequence.

13th. A Fort here at Albany, Schenectadee, Oswego & in the Mohawk's Country, all garrison'd by the Independent Companys, but are very badly contrived and tumbling down besides several Block Houses I was obliged to build in time of War to protect and preserve the Indians as well as the Northern Frontiers from Incursions of the Enemy which could not be done otherwise. —

14th I must refer to a Memorial I am preparing to send to Your Lordships of the State of Indian Affairs.

15th The same.

16th Spaniards we have none in our neighbourhood, the rest answered by N° 17 following.

17th Canada is the only Colony that can Expect[1] this or any of the Neighbouring Colonies : But it effects this Province principally not only as nearest by scituation to it, but as it Rivals this in the trade with the Indians. From the best Information I can obtain there are not above

[1] *Sic.* Effect. — Ed.

12000 Men in Canada able to bear Arms, a Force no way to be compared to the Force of the Northern Colonies, but notwithstanding of this they have by their form of Government a surprising superiority over the British Colonies, especialy in the time of War, while the sev[l] Colonies act as seperate & Independent States pursuing seperate & private Views of Interest often in opposition to each other; But more especialy by the weakness of the Administration in the sev[l] Governments which gives Encouragement to Factious and Designing Men to pursue Ambitious Views or private Interests to the Prejudice of the publick Service. It is from this chiefly that so little has been done this last war, whereas if the power of the British Colonys in men & mony had been properly employed it had been Sufficient to have ruined the French Colony of Canada without any other assistance from Great Britain but that of Artillery, Arms & Amunition & a squadron of ships to prevent Relief from France.

18[th] At a common Computation £2400: & is appropriated by Acts of Assembly for support of Government & other Contingent Charges.

19[th] The usual ordinary allowance for the support of Government is this year by Act of Assembly £3563. 15. 9 Currency, but as there has been War with Spain and France, & of late with both Kingdoms it is impossible to make any correct calculations of the Extraordinary Expences.

20[th] Mine, the Collector's & Secretary's Commissions are from home, but all other Officers, Civil and Military are appointed by me, by his Maj[ty]'s Authority to me given for that purpose. Except the Treasurer of the Province who is nominated & appointed by the Assembly, & entirely under their Inspection, which has a great Influence over the Affairs of Government.

G. Clinton.

New York. 23 May 1749.

New York in America.

An Excerpt as followeth.

The Referred Queries from the Lords of Trade and Plantations; And the required Answer from the Books of Reports and Entries in the Custom House at it's port by Direction of the Gov[r] of this His Majesty's Province.

Q[re] What is the Trade of the Province, the number of Shiping, their Tonage & the number of seafaring Men, with the respective Increase or Diminution within ten Years past? What Quantity and Sorts of British Manufactures do the Inhabitants annualy take from hence? What trade has the Province with any Foreign Plantations or any part of Europe besides Great Britain? How is that trade carryed on? What Commodities do the people send to or receive from Foreign Plantations? What Methods are there used to prevent illegal trade & are the same Effectual?

Ans[r] The Inward Trading in General is from Great Britain, European Goods, & those India with silk Manufactures chiefly. From Ireland Linnen & Canvas Manufacturies certified duly. From British Colonies, enumerated Commodities, Piemento, Sulphur, Straw Plating, Lime juice, Coffee growth thereof, Hides, Deer Skins, Conch Shells, Mohogonie, Plank, Ebonie, & Negrôs. From Europe and Africa, besides from English Foreign Settlements in America, Salt. From the African Coast within the proper limits Directed, Negrôs now less than formerly. From Madeir & Canarie Islands the growth thereof. From the Northern and Southern parts of this Continent, Fish, Oil, Bluber, Whale Fins, Turpentine Oil, Seal Skins, Hops, Cyder,

Flax, Bricks, Cole, Lamp Black, certain wrought Iron — Tin & Brasiery, Joinery, various Carriages and Chairs. From Plantations not under his Majs Dominions, Molasses, Sugar & Rum in no great quantitys, since the Act imposing the New Dutys thereon, Lign. Vitæ, Drugs, Logwood & other Dying wood, Indico, Cocoa Nutts, Cotton Wool, Snuff &ca And the Outward is to London and it's Outposts, the latter more seldom, Naval Stores, Copper ore, Furs and other the enumerated Species with the legal Import of divers Mercantile Wares, Plantation Iron, Oil, Spermacæti, Whale Fins, Lime juice, Shruff, Myrtle Candles, Mahogany, & Walnut Planks, Reeds & Drugs. To Ireland Flax Seed, Rum, Sugar, being Prise effects, and Staves. To Sevl Parts in Europe, Grain, Hides, Deer & Elk Skins, Ox Horns, Sarsaperila, Indico, Logwood, Cocoa Nutts &ca And Foreign Produce & Lumber, Moreover Argent Vivum, Coffee, Anato, Elephant's Teeth, Beewax, Leather, Sarsafrax, Casia-fistula, Wines and other Goods as Prise Effects hitherto brought and in the Vice-Admiralty Courts here and elsewhere adjudicated upon proper certifying. To Madeira & the Azorts, Grain and other Provisions, Bee Wax and Staves. To English Districts North and South of this Continent & West Indies, Provisions, Chocolate, Lumber European and India Goods with those Enumerated in the Plantation Trade Acts, and such other Imported here for conveyance home regularly To neutral Ports as Coracoa, Suronhaim, & Saint Thomas; Provisions, Lumber, Horses, Sheep & other live Stock with their Provender. All which are particularised as to the Quantitys and Qualitys in the Quarterly Lists of Vessells: the due transmitting whereof to their honours the Commissioners of the Customs from the Officers hereat; thereby may appear within the Queries signifyed time what the Increase or Diminution respectively differenceth; Therefore upon comparing which it'l be thus considerate, that the first is somewhat more than the other. As to the shipping which at present belong here, the Number whereof is 157, the tons per registry 6406 & Navigated with 1228 men of Sea Employ, and for the preventive method of which happening illicite here, such prescribed in the principal Laws and aptly made use of, whereby to effect the same as contrary thereto; so that upon any Breach carefully inquired after by the Deputed Officers, process is issued against the like in the Vice Admiralty, or sometimes in the Courts of Record holden hereat, for recovery of the Subjected penalty on the committed fraud & abuse.

Qre What is the natural produce of the Country, Staple commodities and Manufacture, and what value thereof in sterling Mony may you actually Export?

Ansr The production and Manufacture is that the people in the country here for many years & yet have their home spun, so termed, of Flax and Wool to supply themselves somewhat with necessaries of cloathing &c. That for thirty four years or thereabouts, have been raised Linseed & mil'd into Oil, Hats made of beaver Furs, their Exportation prohibited by the Act from Michaelmas 1730, also the working of Lamp black. That, for nineteen Years, Sugar baking & its refining in order to consumption here and transportation for the other Districts on the Continent & the West Indias upon regular Certificate; And Erecting six houses latterly that rum and other Spirits may therein Distillable. That in the said Province are Mines of Lead & Iron Ores; the Manufacturing of which hath been of late proposed; likewise Hemp raised; And that besides there are Grain of all kinds & other Provisions with Tobacco, a small quantity out of soil naturaly productive: Yet such with the like hither brought from the Western and Eastern Parts of this Continent being vendible abroad cannot be distinguished as to ascertain the Prices of annual Export, neither could be practicable if from the seperated Exportings; because their current value according to the Markets in their respective Species vary.

G. Clinton.

New York 23d May 1749.

Colonel Johnson to Governor Clinton.

[New York (B. T.) XXVIII., Hh., 49.]

May it please Your Excell^{y}.

Yours of the 19th of May I am now honoured with and am very glad to find thereby, that what I have done and recommended concerning Indian Affairs, seems agreeable to Your Excell^{y}. I shall send Arent Stephens up among the Indians immediately to give the Five Nations an account of the Peace, which requires a good deal of Ceremony in their way; then he is to condole (in Your Excell^{ys} name) the death of two old Sachims, one an Onondaga the other an Oneida, and appoint two others of the best, in their room. This ceremony is also attended with a great deal of form; it was always neglected in the late Commiss^{rs} time, which gave the French an opportunity of doing it, & appointing such in their room as would do every thing for their interest. Wherefore I shall put a stop to that now. After the two aforementioned Articles are settled, the Interpreter shall proceed immediately to Oswego, with proper instructions how to manage with the foreign Indians and dispose of the Present, and when he returns, shall give Your Excell^{y} an account of the whole. I must tell your Excell^{y} I am at a very great loss how to manage concerning the French yet in my hands. These are what I have been obliged to purchase out of y^{e} hands of the Indians; they knowing it is peace now, plague me every hour to go home, & are vastly uneasy, so that I have hard work to keep them, and on the other hand should they be given up or sent home, e'er we get the Indians, it will occasion a great jealousy; so that I should be glad to know what I must do with them. I have got a girl last week from Moses, so that now I have thirteen prisoners in all at my house. As soon as the Mohawks and Conojoharie Indians returned from hunting, they all came in a body to my house, to know what news there was in their absence, also to know how your Excell^{y} managed that affair with the French party about the exchange of prisoners; which I acquainted them of in such manner as left them no reason to blame your Excell^{ys} conduct therein. However they are (as you may judge Sir) vastly uneasy at their brethren being so long confined there, after delivering up so many of their prisoners for their releasement. After I told all the news I had which was proper to be communicated to them, they began and told me theirs, which was in short, that they had met with several of the Coghnawagees in the woods as they hunted, who at first were affraid to approach the Mohawks; at length a Coghnawagee Sachim ventured to one of their houses and told the Mohawk that it was now peace, and hoped that they the Mohawks would forgive what was past, and live for the future in friendship. With that they gave a Belt of Wampum, adding that in a short time they might expect the Chiefs of Coghnawagee at their Castles, to make up the breach between them and was[h] away the blood of all the slain, in a more ample manner. In the next place they told the Mohawks they had a message from the Sachim Nichas &^{c} who are in goal, the purport of which was, that for these two years past they did not much regard their confinem^{t} seeing their brethren the English shared the like fate with them, & were in hopes of being released as soon as they were; but now seeing that most of the English were sent back again, and not finding any hopes of their brother the Governour or me, getting them out captivity, they now at last send a message with a large Belt of Wampum to all the Sachims, entreating them to pitty them and send only three French prisoners with half a dozen of the Mohawks to Canada, and that will immediately procure them their liberty, as the

Gov^{r} of Canada has assured them. These two articles were all that was of much moment. The Mohawks answered them thus, but it never was customary to treat about any affair of importance in the woods, moreover that they had a brother at home, without whose advice and opinion they could do nothing of that kind. This message or story was so plausable and moving, that your Excell^{y} may well judge it required a great deal of trouble and thought to find a way to prevent the Indians going to Canada with their prisoners, for the redemption of their people. Nevertheless I put a stop to it for a while, but if they (the Indians) are not sent back along with the English Captives, it will be impossible, I doubt, to keep them from taking a tryal, being a thing so very natural; and should that be the case, it would make the Indians have a poor opinion of us, to say no worse of it, that we bring them to join us in the war, & leave them in the lurch at last; which I heartily wish may not be the case now. The sooner I know what to do with the French prisoners the better, for they are so uneasy that there is no keeping of them well, without confining them, which I presume cannot be done now. And am

Your Excell^{y}'

most obed^{t} Serv^{t}

Mount Johnson
May the 26th 1749.

Wm Johnson.

A true Copy
G. Clinton.

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) IX., 84.]

(Duplicate)

Fort George 28th June 1749.

My Lord Duke.

Your Grace may see by the inclosed copy of the affirmation of Thomas Cummins and Affidavit of John Woollaston, with what height of Insolence, the faction in opposition to me, carry on their malicious resentments. M^{r} Oliver Dé Lancey (Chief Justice Dé Lancey's brother) I am well assured has in many companies expressed himself in terms as abusive, and injurious to my character, and with a view to excite tumults, and sedition in this Governm^{t} as he did at the time mentioned in the enclosed evidence. But the power by the Office, and violent overbearing temper of chief Justice Dé Lancey, and others of the same family so far deterrs all people of this province, that no proper information could be obtained, till the flagitiousness of this action produced the evidence which I now enclose. I must likewise inform Your Grace, that upon a further examination of the witnesses it will appear, that Oliver De Lancey retained the perfect use of his senses and strength of body; but that D^{r} Colhun was so much overcome with liquor, that he could not speak intelligibly or walk without staggering, and that the position of the wound given him evidently shews that it must have been done by a stab after D^{r} Colhun was down, Oliver De Lancey immediately fled; David Johnson the principal evidence likewise absconds, and the other persons present in the Tavern (except Cummins and Woolaston are gone out of the province. As there are now hopes that D^{r} Colhoun may recover of his wound, I resolved to have Oliver De Lancey prosecuted for the

words spoken by him in the Tavern, but I find every Lawyer in the place, unwilling and afraid to appear for the King against the Chief Justices brother.

I must beg leave further to inform Your Grace that Mr Bradley His Majtys Attorney General for this province has been for many years confined to his house, by sickness and old age, and is besides a man of so little knowledge and understanding, that he is by no means capable of discharging the dutys of that Station, but employs some of the lower practicers of the Law to carry on the ordinary business of the Office.

The want of a proper person in that station has been extreamly prejudicial to His Majestys service here, has in great measure brought the Royal authority into contempt, and encouraged a faction headed by the Chief Justice to treat me, and almost every Officer of the Govern^{t} with the greatest slights, and not only so but I am laid under great difficulties whenever His Majtys service requires the Assistance of a Lawyer, which in the Administration of Govern^{t} must frequently happen. These things have and I expect will greatly distress me in the execution of the trust His Majty has placed in me.

I have prevailed on Mr William Smith not only to be concerned for the King against Oliver De Lancey, in the case above mentioned, but to accept of the Attourney General's Office, if His Majty shall think fit to appoint him to that Office. He is a gentleman of great abilities and extensive knowledge in the law, has been long at the Bar in this, and the neighbouring province, is a very eminent speaker, has maintained an untainted character and is highly worthy of that trust. I do therefore humbly recommend him to Your Grace to be appointed Attourney Gen^{ll} of this province, in the room of Mr Bradley and that the Salary usually allowed to that Officer, may be continued to him, and do assure Your Grace, that I think his appointment will be extreamly servicable to the King's affairs here, and be a great means of rendering my future Administration easy to myself and useful to the people committed to my care.

As Mr Bradley is now old and has a numerous family, I must recommend him to His Majtys charity in any other way than this by which His Majtys service suffers exceedingly.—I am with the greatest respect

My Lord Duke

Your Graces most obedient
and most humble servant
(signed). G. Clinton.

His Grace the Duke of Bedford.

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.,) XI, 86.]

Fort George, in the City of
New York 7. July 1749.

My Lord Duke.

Your Grace will see from the minutes of Council, and the evidence contained in them, against Oliver De Lancey (Chief Justice's brother) to what height of malice and insolence the Tools of the Faction are arrived, and which I perswade myself will move Your Graces indignation.

No man can imagine that any one durst go such lengths, that did not think himself protected by the Chief Justice and by a Brother. And whatever pretence of abhorrence the chief Justice may make, I am well informed that he has been present when his brother has talk'd in such like manner, and is conscious, that by his common conversation, he has encouraged such base and insolent reflections on me and my administration.

Your Grace will easily perceive what difficulties I must have laboured under, from an insolent Faction while they thought themselves under the protection of a Chief Justice; but this last outrage, with others of the like nature, I believe are the last efforts and struggles of a disappointed faction. And therefore I hope that His Majᵗʸˢ orders and instructions, relating to the past behaviour of Assemblies in this province, and for the future conduct of the Governours in the Matters, which have been in dispute will be sufficient to quell the present disorders if they come at this time.

But to preserve the peace of this Colony, and to prevent the like Cabals for the future, I am humbly of opinion, that it will be proper to send over fit persons from England to be Judges in this province, especialy one to be Chief Justice, for Your Grace by considering the past disorders in this Governᵗ, will find they have proceeded from persons ambitious to have that Office, and by the several relations, and dependencies and parties, which arise on any party struggle, where, in so small a Country, the Judges commonly take sides, and the Administration of common justice becomes precarious.

There are few cases which come before Judges (natives of this Province) wherein they are not some way interested, and there is even danger of the People's loosing all sence of Justice as well as of good Governᵗ. In the present case of the prosecution of Oliver De Lancey, the chief Justice is his Brother, and the other Judge a weak man, and strongly attached by friendship to the De Lancey's family.

I informed Your Grace by my letter of the 29ᵗʰ of May (a duplicate of which I sent pʳ ship Samuel and Judith 8ᵗʰ June and now inclose a triplicate). of the dispute which happened and still continues between the Governour of Canada and me in relation to the release of prisoners on both sides and of the designs, which I think that Govʳ has in prejudice to the British interest and Commerce among the Indians, to which I beg leave to refer Your Grace, I at the same time sent Your Grace copies of the letters which passed between that Govʳ and me.

Since that time I have got all the French prisoners, who were in the hands of our Indians, delivered up to Mʳ Johnson (the Officer whom I employ to manage the Indian affairs) and I have restrained the Five nations from sending deputies to Canada. This no one Govʳ of New York (before this time) was ever able to obtain; The Five nations have always before this, at the conclusion of a war, made peace in Canada, seperately from us, and have exchanged prisoners there, and at the same time entered into new engagements with the French; in the doing of this I have been at considerable expence in presents, without which, nothing can be done with the Indians; The whole of this expence is out of my private pocket, as I can not at present command one farthing of the publick money in this province.

I am likewise informed, that several parties of Indians, have been fitted out from Canada, to fall upon the English frontiers, and have actually killed some people in New England, and have made those who began to resettle their farms on the frontiers of this province again, to desert them. The French Officer at Crown point, pretends in a letter to the Commanding Officer at Albany, that these parties of Indians went out without his knowledge; yet I can not think otherwise, than that they were sent out by the Governour of Canada. I am likewise

informed that about five weeks since several bodies of men, about 1000 in the whole, marched from Montreal in Canada to the Westward. I am perswaded this is done with a design to reduce or destroy the Indian nations, who join'd us in the war, and who trust to our protection, and to obstruct the British Commerce, every where among the Indians; and as I can not command any of the publick money, it is impossible for me to do, what otherwise would be my duty, in opposition to these measures of the French. This as well as many other things show how necessary it is for Her Majᵗʸ to interpose his Authority to put an end speedily to the factious proceedings in this Governᵗ

I must likewise humbly submit to Your Grace, whether it may not be necessary to have application made to the French Court, for proper orders to the Governour of Canada on this occasion—

I am with the greatest of respect
My Lord Duke
Your Grace's most obedient and
most humble servant
(signed). G. Clinton

P. S. I have just time to inclose to your Grace the Councils address and minutes of the Genˡ Assembly this day

To His Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 50.]

My Lords. Fort George. 7ᵗʰ July 1749.

Your Lordships will see from the Minutes of Council and the Evidence contain'd in them against Oliver De Lancey (Chief Justice's brother) to what height of malice & insolence the Tools of the Faction are arrived, and which I persuade myself will move Your Lordships indignation: No man can imagine that any one durst go such lengths, that did not think himself protected by a Chief Justice & by a brother, and whatever pretence of abhorrence the chief Justice may make I am well informed that he has been present when his Brother has talked in such like manner, and is conscious that by his common conversation he has encouraged such base and insolent reflections on me and my Administration.

Your Lordships will easily perceive what difficulties I must have laboured under from an insolent faction while they thought themselves under the protection of a Chief Justice. But this last outrage with others of the like nature I beleive are the last Efforts and struggles of a disappointed Faction; And therefore I hope that His Majesty's Orders and Instructions relating to the past behaviour of Assemblies in this Province and for the future conduct of Government in the Matters which have been in dispute will be sufficient to quell the present Disorders if they come at this time.

But to preserve the peace of this Colony and to prevent the like Cabals for the future I am humbly of opinion that it will be proper to send over fit persons from England to be Judges in this Province especialy one to be Chief Justice, for Your Lordships by considering the past Disorders of this Government will find they have proceeded from persons ambitious to have that Office, and by the several relations and Dependencies and parties which arise on any party struggle, wherein so small a Country the Judges commonly take sides and the Administration of common justice becomes precarious.

There are few cases which come before Judges (Natives of this Province) wherein they are not some way interested and there is even danger of the People's loosing all sense of justice as well as of good Government: In the present Case of the Prosecution of Oliver De Lancey, the Chief Justice's Brother, and the other Judge a weak man, strongly attached by friendship to the De Lancey family.

I informed Your Lordships by my Letter of the 29th of May (a Duplicate of which I sent per Ship Samuel and Judith 8th June and now inclose a Triplicate) of the Dispute which happened and still continues between the Governour of Canada and me, in relation to the Release of Prisoners on both sides, & of the Designs which I think that Governour has in prejudice to the Brittish Interest & Commerce among the Indians, to which I beg leave to refer Your Lordships. I at the same time sent Your Lordships copies of the Letters which passed betwen that Governour and me.

Since that time I have got all the French Prisoners who were in the hands of our Indians delivered up to Mr Johnson (the Officer whom I employ to manage the Indian Affairs) and I have restrained these five Nations from sending Deputies to Canada.

This no one Governour of New York (before this time) was ever able to obtain: the five Nations have always before this at the Conclusion of a war, made peace in Canada, seperatly from us, and have exchanged prisoners there, and at the same time entered into new Engagements with the French, In the doing of this I have been at a considerable expence in presents, without which nothing can be done with the Indians. The whole of this expence is out of my private pocket, as I can not at present command one Farthing of the publick Money in this Province.

I am likewise informed that several parties of Indians have been fitted out from Canada, to fall upon the English Frontiers and have actualy killed some people in New England, and have made those who began to resettle their Farms on the Frontiers of this Province again to desert them. The French Officer at Crown Point pretends in a letter to the Commanding Officer at Albany that these parties of Indians went out without his knowledge, yet I cannot think otherwise than that they were sent out by the Governour of Canada. I am likewise informed that about five weeks since several bodies of Men, about 1000 in the whole, marched from Montreal in Canada to the Westward. I am persuaded this is done with a design to reduce or destroy the Indian Nations who joined us in the War, and who trust to our protection, and to obstruct the Brittish Commerce every where among the Indians. And as I can not command any of the publick money it is impossible for me to do what otherwise would be my duty in opposition to these measures of the French. This as well as many other things shew how necessary it is for His Majesty to interpose his authority to put an end speedily to the Factious proceedings in this Government.

I must likewise humbly submit to Your Lordships whether it may not be necessary to have application made to the French Court for proper orders to the Governour of Canada on this occasion.

I am with very great Respect,
My Lords,
Your Lordships most obedient
and most humble Servant
G. CLINTON.

P. S. I have just time to enclose to Your Lordships y^e^ Minutes of the Assembly to this day and Council's address.

G. C.

Captain Marshall to Governor Clinton.

[New-York Papers, Hh., No. 51.]

Albany 23^d^ June 1749.

Hon^d^ Sir.

I take this opportunity to let you know that I received the Inclosed from the Commander of Crown Point this morning & the Serg^t^ and five men goes away to morrow, I thought it was proper to let the Officer know that I received his Letter; I send Your Excell^y^ a Copy of my letter to him which I hope you won't disapprove of, & as the Sergeant told me that peace was not proclaimed in Canada, & as I had a Proclamation by me I sent it inclosed to the Officer of Crown Point; in asking the Sergeant several questions I desired to know which way he thought these six Nations were gone, he told me he thought they went Scaghkooke way, if so it's thought they will cut off some people there, which if they do every body that has lately settled will leave their Farms again. These two New England men that came with this Sergeant & party told me that they saw an army of near one thousand Men march in different Bodys from Canada this day three weeks, steering their way for Bellé Revier the Back of Philadelphia in order to prevent the English from settling in them parts, so I thought it my duty to acquaint you of it, these men went from the Goverm^t^ of Boston last March in order to get some of their prisoners but without success, for they have not brought one, for they said the Gov^r^ of Canada told them that he would not part with one prisoner 'till all his Prisoners was given up to him. I had like to have forgot, these Men told me that they heard at Crown Point that there was a party of Thirty Indians fitting out at Otterskill, which is about three leagues from Crown Point, but whether they was prevented he cannot tell. I am with the greatest respect, Your Excellency's

m^t^ obed^t^ & m^t^ hble Serv^t^ at Comm^d^
HUBERT MARSHALL.

From the Boston Evening Post, 26th June 1749.

Fryday last an Express came in from the Westward with an Account that last Tuesday about three O'Clock in the Afternoon, at N° 4, as Serg^{t} Sartell & a son of Capt^{n} Stevens[1] were harrowing some land near the Fort they were fired upon by a body of Indians concealed in the Bushes who killed the horse & took the boy Prisoner, the Serg^{t} was seen to fall & ten or a dozen naked Indians immediately ran to the place where he was, but whether he was killed or no is not known. Partys of Indians have also been discovered about sev^{l} other Towns to the Westward, which has greatly alarmed that part of the Country & it is more surprising as we have now here a number of the heads of the Eastern Tribes treating of a peace and begging.

A true Copy

G. Clinton.

Captain Lusignan to Captain Marshall.

[TRANSLATED FROM THE FRENCH.]

Fort Frederick, 27th June, 1749.

Sir.

Being advised that a party of six Indians, Outagas, Nepissingues and Sabenakis had started from this post two days since, in the night, to make an attack in your country, after having promised me not to go there, I have detached a sergeant and five soldiers to conduct and escort two Englishmen and an Irishman, who arrived here yesterday from Montreal. The Englishmen came here from Boston last March. The appprehension I entertained that they might fall in with these Indians, led me to take this precaution for their security.

Two Iroquois of the Sault St. Louis, left Montreal with these Englismen, to conduct them to Orange; but after having consumed their brandy, left them, six leagues at this side of Fort Fort St. John and returned back, after having received some money in advance, on account of their journey.

I have the honor to be, most perfectly, Sir, your most humble and most obedient servant,

Lusignan.

[1] Number Four was the original name of Charlestown, Sullivan county, N. H. Captain Phineas Stevens was one of the first settlers there. He was a native of Sudbury, Mass., from whence his father moved to Rutland. At the age of sixteen he was carried a prisoner to Canada by the Indians, whence he afterwards returned and settled in the above town. He was an active partisan officer during the war, and died in November, 1756, in the public service. There is a Journal of his to and from Canada in *Collections of New Hampshire Historical Society*, V., 199. The name of the Serjeant mentioned above was Obadiah Sortwell. Enos Stevens, the Captain's son, was returned to his parents soon after his capture. *Ibid.*, IV., 115. — Ed.

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 52.]

Albany. June 25th 1749.

May it please Your Excellʸ

Upon the receipt of Yours dated June 7th I immediately called both the Castles of the Mohawks together, & again intreated them earnestly not to interfere in the Exchange or Redemption of their prisoners, but leave it intirely to you & in order to enable you to accomplish it insisted strongly on their delivering up to me all the French still remaining in their hands, which at length by much ado they agreed to, upon paying them considerable rewards which I was obliged to do e'er I could get them out of their hands. Indeed it is more than ever was expected that they would part with them all at any rate, they had sevˡ invitations to go to Canada, & among the rest a very strong one from Nichus the Sachim in Goal, & all the rest to come, if they had any regard for them, seeing Your Excellʸ's Endeavours were to no purpose hitherto, this message with a Belt of Wampum had so great a weight, & touchᵈ the 5 Nations in general so much that they determined to send so many of each Nation to Canada immediately, & among the rest several of the Chiefs of the two Castles of the Mohawks, with Nichus' wife & Family which would have been all the French Govʳ could desire & what he has this long time been Endeavouring to bring about, with all the Policy he was master of, but I can with great pleasure acquaint Your Excellʸ that I have overset all his schemes by preventing them from going to him, & by getting all the Prisoners intirely out of their hands, being 19 in all, so that there remains nothing more to be done here, wherefore hope and beg Your Excellʸ will endeavour as soon as possible to get the Indians from thence with the rest, otherwise it will certainly overset all I have done hitherto, & make the Indians very ill temper'd, to say no worse, as they have so long left it to us, I propose going to New York in a very few days if possible, when I shall talk to Your Excellʸ more about the Affair. In the mean time make bold to subscribe myself, Your Excellʸ's

Most obedᵗ hble Servᵗ

Wᵐ Johnson.

P. S. At my coming to Albany had the news of a man being killed & scalped, another taken prisoner at or near No 4 in New England by the French Indians, which has made sevˡ of the Outsettlers fly in from their Plantations.

True Copy

G. Clinton.

Governor Clinton to the Lords of Trade.

[New-York (B. T.) XXVIII., Hh., 55.]

My Lords.

The Indian Affairs, the obtaining the liberty of the prisoners in Canada and the payment of the publick debts, made it necessary for me to meet the Assembly of this Province at the time

I did; whereas otherwise I should not have thought it proper to have mett with them till His Majesty's pleasure shall be known in the matters which are now before His Majesty's Ministers. Had I received any orders or instructions with respect to them, I am confident the transactions in the Assembly would have had a very different appearance from what they now have, for the faction has made very bad use of my not being able to signify in proper form His Majesties pleasure on the matters which were formerly in dispute between the Assembly and me. However the present meeting has brought things to a plain issue, viz^{t} that either His Majesty must support his authority, or the Administration of Government must be given up to the Assembly. I have not dissolv'd the Assembly in hopes to receive in a short time such orders or instructions as will have a happy effect on a new choice. I must beg your Lordships to peruse the proceedings of the last Sessions, & thereby I hope you will be convinced of the obstinacy of the Assembly, and that I have done every thing in my power, consistent with my duty, to overcome it. But that this Assembly or more properly the present faction, headed by Chief Justice De Lancey will rather give up the Indians to the French, and the British interest, than yeild any of their claims or expectations of power; as I had gained what no former Governour had, tho' the great interest Coll. Johnson had with the Indians, viz^{t} that they should not make peace seperately with the French, it is with the greatest regret that I am in danger of losing this advantage by the Assembly's refusing to grant the necessary supply for the expence, which has attended and must attend the obtaining the liberty of the Christians and Indians prisoners in Canada. I must likewise inform your Lordships that while the Governour of this Province cannot command a single penny of the Publick money, now lodged in the Treasury, I have good reason to think that the Speaker of the Assembly by private order of the House draws considerable sums out of it, for the secret services of the faction.

Inclosed is an order I sent to the Treasurer, to which I am not able to make him yeild obedience; as will appear by the trifling excuses he makes; and no doubt he thinks himself supported by the Assembly in this refusal; as things stand now in this Province, I cannot appoint another.

I must intreat Your Lordships dispatch in the affairs before you, relating to this Province, as they now become of dangerous consequence, both as to the Kings authority and interest of the Nation.

I have the honour to be with the greatest of respect

My Lords

Your Lordships most obedient
and most humble Servant
G. Clinton.

New York 28 July 1749.

Right Honourable Lords Commissioners
for Trade and Plantations.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 59.]

Fort George in City of New York
August 7th 1749.

My Lords,

Your Lordships will see from the Minutes of the Proceedings of the Assembly in the last Session thereof that the Assembly has absolutely refused to grant His Majesty a Revenue, or any Fund for the Support of his Government in this Province, so as the Money may be issued conformable to the powers of his Majesty's Commission, by the Authority of which only they have power to sit and Act.

The only true reason of their refusing this is that they may assume to themselves the whole executive powers of Government, and the Nomination to all Offices: This will appear to Your Lordships by considering the Acts of late passed for the Support of Government, & for defraying contingent charges thereof, and the particular observations thereon, which I have formerly made to Your Lordships.

See all the Acts for support of Government & paying the Contingent Charges since Govr. Clark's Administration & the Militia Acts.

They have not only in effect assumed to themselves the executive power in Civil Affairs but likewise in the Military so far that they by Act direct the Officers of the Militia, as to places of Rendezvous and times on which they are to call their Regiments and Companies together, and thereby with private Discourse among the people persuade them the King has no other power over the Militia, but what is granted by Act of Assembly. The have put all the publick Gunpowder into the Custody of Officers of their own Nomination, & the Speaker of the Assembly has ordered the publick Gunpowder out of the stores, by his own Warrant without my knowledge while the Governor of the place could not by his authority command one pound of the same. Last Year in the Bill for defraying the publick [Expences] several contingent charges of the Colony (to which I refused my Consent) they directed all the publick Gunpowder to be sold & the money to be lodged in the Treasury without having a single pound for the Defence of the Province on any occasion or providing any sum for replacing any quantity of Gunpowder for the publick Service.

See the Act

They gave sums to particular persons for pretended Services, not only without being recommended by me but likewise without communicating to me what those Services were, and refused to pay (under various pretences) other Services done by my directions, and some of them at their own desire, only because (as I have reason to think) I had employed persons that they thought not absolutely dependent on them.

See the Addresses Representations &c of Assembly, and Information of Oliver De Lancey Chief Justice's brother.

They have (in order to weaken & to bring His Majesty's Authority into Contempt) shamefully slandered & insolently treated the person and character of His Majesty's Governour of this Province.

It will evidently appear to Your Lordships I believe that matters are now brought to this issue that His Majesty must either vigorously support his Authority in this Province or give it up to an insolent faction.

I must beg leave of Your Lordships to say that matters could not have come to this pass if His Majesty's displeasure had been declared on the proceedings, of which I have at several times formerly complained. The Faction makes the worst use of this that can be imagined,

while at the same time they exult in the expectations they have from the Commission of Lieutenant Governor to James De Lancey, for thereby they hope to have all power soon in their own hands, and the Friends of the Government are intimidated.

But notwithstanding of all that has appeared, if his Majesty shall think fit to send me Instructions such as may be thought proper on an occasion wherein the Dignity of His Majesty's Government is so remarkably attacked, I can on good grounds assure Your Lordships that the Affairs of this Government will soon make a very difficult appearance, For I am well assured that great numbers and those of the best Estates and Characters are displeased with the Conduct of the present Assembly. My Duty to the King and my Zeal for his service in my present Station make me earnest with Your Lordships that this be done speedily. The hopes of receiving such Instructions has made me delay dissolving the present Assembly as I can be much better assured of a good choice in a new Assembly after having received them than in the present State of Affairs. The News of M^{r} De Lancey's Commission of Lieut. Governor which came at the time of the last elections, gave an unexpected turn to them.

I cannot imagine anything in which the Faction can have any honesty but from the Nemine contra dicente Resolves which they publish thereby to make it beleived in Great Britain that the whole people are dissatisfied with my Administration, and that the Ministry may think it necessary to give way to so general a Dissatisfaction.

Suppose it were so (though the truth is far otherwise) it must appear that this Dissatisfaction is procured by the basest and worst means, by propagating the vilest slanders & Falsehoods among the people: Your Lordships then can never (even if this was the case) give encouragement to such Villainy especially when giving it success, would be the greatest encouragement to factious Spirits not only in this Government but every where else in the Colonies: But they who know of what kind of People the Assembly of this Province is composed, likewise know that if a few loquacious members in it were changed, the Nemine contradicente would be on the other side of the Question: This is put out of doubt by the Members disaproving without doors what they have consented to within.

The Faction has on several occasions attempted to excite some kind of Commotion amongst the people, but were never able to make the least appearance. I shall only add that the Faction could not have subsisted so long, but by the hopes which they entertain, from my not having received his Majesty's Approbation of those Suspensions from the Council of this Province, which became necessary to discourage this factious Spirit. What I have now represented I hope will be a sufficient excuse for me with your Lordships, in being earnest, that I may know His Majesty's pleasure without delay on the Matters of which I complain.

My Duty to the King, the Justice which is due to my character and the Honour of the Family, where I had my birth, all unite in making it incumbent on me to use every means in my power to obtain redress, and I hope I shall not fail in my Endeavours.

I have on several occasions formerly acquainted Your Lordships of the great prejudice his Majesty's Service has received from the present Faction. How in the time of War, they prevented my putting in execution the measures I had concerted for effectually destroying the French Commerce among the Inland nations of Indians, and which in all probability could not have fail'd of success, and now in the last Sessions when the Assembly had in a most unaccountable manner broke off all intercourse with their Governour, and stopt all proceedings, and thereby had refused to provide for the necessary expence of sending to Canada for the liberty of the Prisoners there, and for preventing the Six Indian Nations their going to Canada,

& entring into Treaties with the Governour there. Mr Colden went to several of the principal gentlemen in town to know if a sum necessary for this service could be raised by private subscription on the credit of a future Assembly, and he was assured that it could be done in one day's time. This coming to the ears of the Faction they thought it necessary to prevent such a publick declaration against them, and therefore the Speaker came to me and said since by their Resolves they could not grant the money necessary for that service in the usual method the House was resolved privately to put a sum sufficient out of the publick money into any person's hands I should direct.

It became necessary to comply with this, as by this offer they had taken away the reasons which the Subscribers would have had for being repaid by a future Assembly.

But this at the same time shews how all the publick Mony is at the private disposition of an Assembly & in what manner they can make use of it for their Secret Services.

The importance of the matters on which I am obliged to write so often & so largely I hope will excuse the trouble I am obliged to give Your Lordships, Having the honour to be with the greatest Respect, My Lords,

Your Lordships most obedient
and most humble Servant
G. Clinton.

P. S. I am sorry I am obliged to send the Speech in a News Paper, but as he is touched in it he has not printed it seperately as yet.

To the Right Honourable
The Lords Commissioners for Trade & Plantations.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 62.]

Fort George 24th Septr 1749.

My Lords,

The reason why I can not comply with Your Lordships Instructions relating to the number of the Inhabitants White and Blacks, in this Province, is that a spirit of opposition is propagated through the whole by the Faction's Influence & insinuating to the constables that they have no necessity to obey my orders, without being paid for their trouble; This is the general complaint of most of the Sheriffs that they can not by any means make their returns to me according to their Duty.

The Sheriff of this City could not get his return till yesterday, notwithstanding he had my order of the 10th of May, & issued his Warrant (copies of both which I enclose) to the several Constables of each ward the same day, and if he had not summoned the Constable and threatned to prosecute them by the Attorney General for their disobedience, he says he could not have made any return, this is a plain proof of the Rebellious Spirit of the Faction and that they pay no manner of respect to His Majesty's Prerogative, or the orders of his Ministers; But to convince them of the incumbency of their Duty I am resolved to order His Majesty's

Attorney General to prosecute the Delinquents as far as the Law will permitt. I herewith transmitt to Your Lordships Copies of Extracts of Colonel William Johnson's two letters, the Governour of Canada's letter to me & my answer, a Letter from the chief Engineer of Canada which Col. Johnson intercepted, a Memorandum of the Clark of the Council who I sent to the Treasurer of the Province to know if he had made out the Revenue Accounts and his Answer.

I am with the very greatest respect,
My Lords,
Your Lordships most obedient
and most humble Servant
G. CLINTON.

To The Lords Commissioners for Trade & Plantations.

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 65.]

(Extract.)

Albany 19 Aug^{t} 1749.

May it please Your Excellency.

I arrived at Albany after having a passage of eight days where I met two Cocknawagees who told me that their Chiefs were gone to Quebec to meet the New Gov^{r} and endeavour to get the Indians out of Goal, and then come with them here. After ordering all things to be made ready for sending Your Excellency's Dispatches to Canada together with the French prisoners I went home the next day where I found (to my great trouble) above sixty of the Oneidas and Conojoharee Indians who waited my return 18 Days. I immediately called a meeting of both the Castles, and the Oneidas who were here together wherein I first satisfied them all for my long stay, and then told them in what manner Your Excellency proposed sending the French Prisoners for the redemption of their people; that you would only send six now, the better to secure the release of the Indians and our people: they approved much of Your Excellency's sending only a part now, they also promised me Notwithstanding the many messages and hearty Invitations of the French Governour & the Cocknawagees to them, and more particularly an Extraordinary one sent them now since I came home to go immediately to Canada for their Brethren prisoners there, that they would not listen to their Invitations nor regard their Threats but leave it entirely to Your Excellency's management begging most earnestly at the same time that Your Excellency may use Your utmost endeavours to get their Brethren home now. Which I assured them they might depend upon, it being (to my knowledge) Your Excellency's Chief Desire and study. At which Assurance they were well contented. After that was over I had a seperate meeting with the Oneidas who told me they were sen ıdown by the five Nations in General to assure me they had seriously considered the Messages I had sent them this Spring, the Substance of which in short was this, to desire they would endeavour to recover their Senses which it seemed to me they almost lost by list'ning so much to the French as I found they had and that they should once more unite strongly together as Brethren and be one Body, according to the Old Agreement made between their Forefathers and ours. A Belt of Wampum.

In the second place hearing that there was a priest to settle within twelve Miles of Oswego I insisted in the strongest manner that the five Nations should by no means allow of it, as they were owners of that land, telling them the bad consequences would inevitably follow, and that they (the five Nations) acknowledged they acted in some Measure as Drunken Men but would now follow my Directions, by making a stronger union than ever with their Brethren, and remain inseparable. A Belt of Wampum.

In the second place they assure me they have at my desire prevented the priest settling within a hundred Miles of Oswego which I realy find to be so by the Cocknawagees here now.

They gave another Belt of Wampum upon that.

I have on seriously considering the Affair thought it much better there should none of our Indians go to Canada, because the Governour of Canada may now see what an influence or command Your Excellency has over the Indians, that even one of them should not go to redeem their own flesh and blood so long in confinement.

Moreover if they were to go now with M^{r} Saunders he would tell them it was on their account he set them at Liberty, and so make a merit of it: Wherefore I have sent none and hope Your Excellency will approve of it. I enclose Your Excellency a French Letter which was wrote by Mons^{r} Levis, Chief Engineer in Canada, and sent by a friend at Oswego who had it of a Squaw. You'll see thereby the Designs of the French to cutt off the Oswego Trade, and all communication between us and those Indians living beyond them Lakes, which would be of very bad consequence.

I wish Your Excellency had thought of sending up the Articles of peace, as they would have been of use to M^{r} Saunders; here is none that has them but a brother in law of Collins's, and he refused to let me or Saunders even to see them, but would sell them if I would give him five pounds for them. Your Excellency may judge what a set of people here are.

I am with the greatest regard imaginable

Sir, Your Excellency's most obliged

humble Servant.

W^{m} Johnson

Colonel Johnson to Governor Clinton.

Albany September 1st 1749.

S^{r}

I am to acquaint Your Excellency that on the 31st of August M^{r} Beaubassin with three French Attendants and David Abeel arrived at Albany: he would have had the three French men to go along with him to York, though their orders were only to conduct him to Saraghtoga or Albany, as Your Excellency will see by the enclosed copy of Beaubassines Passport or Instruction: wherefore I thought it most advisable for to send Beaubassin and his party back, as soon as they refreshed themselves a little, for it would be very chargable keeping them here now for any time, every thing being very scarce. By what I can understand the Gov^{r}

of Canada will not redeem nor deliver us those Prisoners in the hands of his Indians, and indeed I can't think he can get them out of their hands.

The Indians are now let out of Goal and sent to an Indian Village 3 leagues from Quebec.

I am, with the greatest Regard,

Your Excellency's most obliged humble Servant

Wm Johnson.

New York. True Copies. Examind & Compd
pr Gw. Banyar. D. Cl. Con.

Marquis de la Jonquière to Governor Clinton.

[New-York Papers, Hh., No. 66.]

(Copy.)

Quebeck, 22d August 1749.

Sr

I arrived a few days ago in this Province which the King my Master has been pleased to intrust to my care and it is with pleasure I take this early occasion of writing to you that you may be sensible it wo'nt be any fault of mine if the people of Your Governmts dont enjoy that Tranquillity which the General peace gives them a right to pretend to, nor do I in the least doubt, Sir, your readily joining Your endeavours towards it on Your part.

I received with pleasure the Representations made me by Your Prisoners whom the Marquis De La Gallissonière has treated as favourably as I could have done my self their impatience of returning to their own country is no less just or greater than that of the French ought to be who are now detained with you or the Mohawks. I agree intirely with their desires and to forward them all in my power and come at last to a general liberty I have given a permission to Mr David Abel to attend Your Excellency to conclude upon an Exchange. I am perswaded it is what you wont refuse and that Your sentiments wo'nt differ from mine. Upon this Assurance I have added in the Permission given to the said Mr Abel that he is at liberty to remain with you. I expect then with confidence all our prisoners, principally those kept among the Mohawks, and I have the honour to assure you of my great impatience to send you all Yours immediately and to set at Liberty the four remaining Mohawks the others being dead. I have the honour to be with all Esteem and Consideration possible, Sr

Your most humble

and most obedient Servant

La ionquière

New York. A true Copy, Examd & Compd
Pr Gw. Banyar D. Cl. Con.

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.) XI., 110.]

Fort George in New York 17. Oct^{r} 1749.

My Lord Duke.

I have already given Your Grace so much trouble, on the affairs of this province, that nothing but the importance of them, for His Maj^{tys} service can excuse me; my state of health has for some years past been so bad, that I was desirious of returning to Great Britain, and being in hopes, that by the instructions, which I expected to have received from Your Grace, this last spring, to leave the Govern^{t} in such a state, as not to be under any apprehensions, that His Maj^{tys} service could suffer by my absence; I was desirious to have returned this summer, but now having recovered my health, much beyond my expectations, and being perswaded that it is not safe to leave the Administration in the hands of M^{r} De Lancey, and of a faction, that is endevouring to destroy His Maj^{tys} Authority in this province, and its dependance on the Crown, by wresting all the executive power of Govern^{t} out of the hands of his Gov^{r}, as I think will clearly appear to Your Grace, by the papers I have formerly had the honour to transmit to You.

I think it my duty to remain in this Province till I can put an end to the present factions which are so prejudicial to His Maj^{tys} authority.

After I had taken the resolution of staying I altered my resolution of suspending M^{r} De Lancey, from the Office of Lieut^{t} Gov^{r} as that could not have the proper effect upon the spirits of the Faction, while they might, and probably would entertain hopes of having that suspension removed; but I must still humbly and earnestly recommend to Your Grace, to have the Commission of Lieut^{t} Gov^{r} to him revoked, as one thing absolutely necessary for suppressing the Faction, and without which I am humbly of opinion nothing can be effectual; after which and the confirmations of the suspensions from the Council I made, and their places filled up as I recommended, I make no doubt but that this province will soon be brought to a state of tranquility.—

When M^{r} Shirley was in this place last year, I took that opportunity of advising, and consulting with him, on the present State of this Govern^{t} into which he took the trouble, to enquire very minutely. I have in every step which I have taken for reestablishing His Maj^{tys} authority and curbing the insolence of the Faction, followed his advice, or received his approbation of it. As he is now returned to England, he is capable of informing Your Grace of many things, that can not be so well done by writing; and if Your Grace wants any further information on any point, I have ordered M^{r} Catherwood my secretary and M^{r} Parris to wait on you for that purpose.

The spirit of the faction is kept up, by my not having any orders on the subject matter of the present publick dissentions, and I must beg leave to represent to Your Grace, that any delay will be highly prejudicial to His Maj^{tys} service, I hope to have Your Grace's approbation in the strickt observance of the Instructions I shall receive, by my endevours to put them in execution, with that prudence which Your Grace may expect from me, who am with the greates respect

My Lord.

Your Graces most humble
and most obedient servant
(signed). G. Clinton.

To His Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 71.]

Fort George in New York
17th October 1749

My Lords,

I can not doubt that Your Lordships perceive from the papers which I have transmitted from time to time to Your Lordships (with their Duplicates) the necessity there is of His Majesty's interposing his Authority to curb the insolence of a faction in this Province which aims at nothing less than the assuming the whole executive powers of Government into their hands; As the same factious spirit prevails in the neighbouring Colonies the interposition of His Majesty's Authority becomes the more necessary to withstand the encroachments which the Assemblies of the Colonies every where make on His Majesty's Prerogative and which if not timely remedied may in time occasion a great expence to the Crown to secure the Dependency of the Colonies. Your Lordships will perceive by the Minutes of the last Session of Assembly, which I formerly transmitted to Your Lordships what little regard they have to His Majesty's Instructions, & the Authority of his Commission to his Governours, and their obstinacy in retaining the usurpations they have made of the executive powers of Governmt and I can not have any further Intercourse with them, without yielding the whole executive powers into their hands, and that thereby I am disabled from carrying on the publick Affairs, as they ought to be, and that His Majesty's service must suffer. I must therefore intreat Your Lordships to send me some Directions for my future conduct without delay, because it must be prejudicial to His Majesty's Authority in this Province to meet the Assembly before I receive Your Lordships directions, at least that it can be of no use. As things stand now I can not command a single farthing, for defraying the Expence of any Service, however necessary, though there be moneys sufficient in the Treasury.

The French at this time (as will appear by the papers I formerly sent and others which I now enclose) are forming schemes for intercepting the Brittish Commerce with all the Indian Nations, which lay to the Westward of His Majesty's Colonies. What I think of the greatest consequence is what the French Engineer proposes to the Govr of Canada of building a Fort on the South Side of Ontario Lake to intercept the trade of Oswego, where the King has a garrision on that Lake for supporting the Trade of this Province. No Fort can be built any where on the South side of Ontario Lake, but on the Lands belonging to the Five Nations, who by the Treaty of Utrecht are declared subjects of Great Britain and who for a further security have in a solemn manner yielded and sold it to the King: As things now stand should the French attempt to erect any Forts, or make any settlements, on the South side of that Lake, it may not be in my power to prevent it.

My Lords, You will clearly see from the papers formerly transmitted that the Faction in the Assembly have it in their power to gratify and reward their Tools, while the Governour can not support His Majesty's most faithfull Servants; That every one who supports his Majesty's Authority is exposed to the malice of that Faction, even without exception of the Governour himself by publishing such vile and malicious calumnies as can have no other tendency but to withdraw all esteem of the Governour's person and regard to his Authority. I am confident that when Your Lordships shall have considered these calumnies and the manner in which

they are published Your Lordships will be of Opinion that they ought not to be suffered (even though there were some foundation for them) But when it shall likewise appear that they have no Foundation but only in the wicked malice of the Authors of them, you will hear them with that Detestation they deserve.

The faction in this province could not have arrived to the height of insolence they have, if they had not thought themselves supported by the Power of Chief Justice De Lancey, and their spirits kept up by the expectations they have of his succeeding to the Administration, as Lieu[t] Governour of this province.

I must likewise inform Your Lordships that if I had not received M[r] Colden's Assistance I could not have supported the King's Authority, so far as I have done, and on which account only he has exposed himself to all the malice of that Party. I must most earnestly recommend to Your Lordships consideration that if M[r] Colden be not supported or his services disregarded, it must absolutely discourage every person in withstanding such like Factions for the Future, & weaken His Majesty's Authority in this Province more than can be well imagined.

If I had received His Majesty's Instructions in the time I expected them the power of the Faction had been broke before now. The delays in sending these Instructions have been of the greatest prejudice to me & His Majesty's service, for thereby the spirit of the Faction has been kept up by the hopes they entertain of Chief Justice De Lancey's Interest.

I must therefore again beg of Your Lordships to send me proper directions for my future conduct without delay, and I shall endeavour to recommend my self to Your Lordships' favour by putting them in execution with that prudence you may expect.

When M[r] Shirley was in this Province the summer before last he informed himself minutely of the publick Affairs, & he knew Men as well as things in it, I can with pleasure refer Your Lordships to him both as an indifferent witness & a good Judge.

I have likewise ordered my Secretary M[r] Catherwood to take M[r] Parris's assistance in giving Your Lordships what further Informations you may want.

I am with the utmost respect,

My Lords, Your Lordships most obedient
humble Servant

G. Clinton.

To the Right Honourable
The Lords Commissioners
for Trade & Plantations.

Governor Hamilton to Governor Clinton.

[New-York Papers, Hh., No. 73.]

Philad[a] October 2[d] 1749

Sir

While the Deputys of the Six Nations were lately in the City I made it my business to enquire their sentim[ts] upon the march of such a Body of Frenchmen to Ohio, but found they had no other knowledge of it than what they gained after their coming into this Province, neither upon my own acquainting them with it did it seem to give them any uneasiness.

A few Days ago the Messenger I sent into that Country returned and gave me the following account of His transactions. That upon his Arrival at an Indian town, called Logg's Town,[1] on a branch of Ohio, he learnt that about 200 French and thirty Indians were just departed from thence after having summon'd a Council of the Indians & made them a speech the purport whereof, as nearly as he could collect, together with their answer is inclosed. Whereupon the Messenger gathered the Chiefs of the Indians together & acquainted them that he was sent by me to apprize them of a piece of intelligence I had received from Your Excell^{y} & to put them on their guard in case the French might make any attempt upon them, & so repeated the substance of Your letter to me on that Subject. That when he had delivered his message the Indians expressed great thankfulness to their Brothers of New York & Pensylvania for their care in sending them an account of the French coming among them at a time when they did not expect them. That the Indians in Gen^{l} were much displeased at the proceedings of the French, & while he was among them held a Council in which it was resolved to fall upon them and cut them off, but that he advised them not to proceed in that manner, until they were more fully convinced than by words, that the French intended by force to gain the Subjection of the Twitchwees & Wayandotts (two nations that live further down the River & who for two or three years past have dealt largely with our Traders) That with a good deal of difficulty he got them disswaded from falling on the French at that time, but that they were still determined to differ with them, if the Twitchwees and Wayandotts who had fortifyed themselves in their towns would begin to quarell, to which purpose he sent Deputys to Council with them, who were not returned when he came away. That in gen^{l} he found the Indians in Ohio heartily in the interest of the English, & fully bent to quarell with the French if ever they came again in the same hostile manner.

The French Officer who commanded the party understanding it was chiefly with this Province that those Nations of Indians trafficked put into the hands of some of our traders three Copys of the inclosed Papers to be delivered me, by which you will perceive they have it much at heart to regain that branch of Trade, which was in a manner lost to them during the war, by their Disappointm^{t} of regular Supplys of Goods from France; And at present from the Affection those Nations have entertained of the English on acco^{t} of their more friendly and reasonable manner of dealing with them, Upon the receipt of these papers I was apprehensive our traders might for the future be molested in their trade to that Country by Monsieur's carrying his threats into execution, & thought it incumbent on me to apprize them of this piece of Intelligence, that they might take their Measures accordingly, but I found them so satisfyed of the Friendship of the Indians, & so secure of their protection against the French that they are determined to prosecute their Trade among them, which has of late been a very valuable one.

I have sent by a sloop belonging to this City the Guns Your Excell^{y} was so kind to assist this Province with at a time when they stood much in need of them, and am again requested to return you the grateful acknowledgm^{ts} of the Gentlemen Associates of so great a favour. I have the honour to be, S^{r}

Your most obed^{t} hble Serv^{t}
James Hamilton.

His Excell^{y} Gov^{r} Clinton.

[1] Loggstown was situate on the East bank of the Ohio, about twenty miles Northwest of Pittsburgh, Pa *Pownall's Topographical Description of North America*, App., p. 5. — Ed.

Captain Bienville de Celoron to Governor Hamilton.

[TRANSLATED FROM THE FRENCH.]

From our Camp on the Beautiful River,
At an Old Shawnee Village, 6th August, 1749.

Sir,

Having been sent with a detachment into these parts by the Marquis de la Galisonnière, Governor in chief of New France, to reconcile together some Indian Nations who had got embroiled on occasion of the war just concluded, I have been much surprised to find traders belonging to your government in a country to which England never had any pretension. I have treated them with all possible courtesy, though I had a right to regard them as interlopers and vagabonds, their undertaking being contrary to the preliminaries of the peace signed at Aix la Chapelle, over fifteen months ago. I hope, Sir, that you will be so good as to prohibit that trade in future, as it is contrary to the treaties; and notify your traders that they will expose themselves considerably, should they return to this country, and that they must impute to nobody but themselves whatever misfortunes will overtake them. I know that our Governor in chief would be very sorry to have recourse to any violence, but his orders are very strict not to suffer any foreign traders within his government.

I am most respectfully, Sir,
Your most humble and most obedient servant,
CELORON.

NOTE. — The date of the above letter and place where it was written, are taken from the copy in *Pennsylvania Colonial Records*, V., 425.

Captain de Celoron's Certificate that he had expelled English Traders from the Ohio.

[TRANSLATED FROM THE FRENCH.]

We, Celoron, Captain, Knight of the Military Order of St. Louis, commanding a detachment sent by the Marquis de la Galissonière,[1] Governor in chief of New France, have on the banks of the Beautiful River, summoned the Englishmen, whom we have found in an Indian town, situated on the bank of the Beautiful River, to retire with all their effects and baggage to New England, on pain of being treated as interlopers and rebels, in case of refusal; to which summons they have answered, that they were going to start for Philadelphia, their country, with all their effects. Done in our camp, on the Beautiful River, this 10th August, 1749.

CELORON.

A Monsr
Monsr Hamilton, Governeur de Philadelphia,
à Philadelphia.

[1] ROLAND MICHEL BARRIN, Marquis de la Galissonière, and a Lieutenant-General in the French service, was one of the ablest men of his time. As a scholar, a soldier, a statesman, his merit was deservedly esteemed. Born at Rochefort, November 11, 1693, he entered the navy in 1710, in which he served with distinction until he was appointed to Canada. In that Colony

Speech of a French Officer to the Ohio Indians.

[New-York Papers, Hh., No. 74.]

The Speech of a French Officer who had the Command of 200 French and 30 Indians going down Ohio, delivered in Council to the Ohio Indians at an Indian Town called Log's Town.

Children.

We are once more come to see you & further we are to let you know that we are to come next Spring and trade with you: We are now going down the River in order to whip home some of our children, that is the Twitchwees & Wayundotts & to let them know that they have no business to trade or traffick with the English: further Children we desire you may hunt this Summer & Fall, and Pay the English their Debts, for we will not suffer them to come here to trade after this winter. So gave the Indians a Belt of Wampum.

To which Speech the Indians made little or no answer only gave the French to understand that the land was theirs & that while there was any Indians in those Parts they would trade with their Brothers the English; As for their pretending to whip home the Twitchwees & Wayundatts this Fall & sending their brothers the English home from trading with them next Spring, they looked on that Speech as a jest & desired them to consider the consequence that must attend a proceeding of that kind; for that to separate them from their Brothers the English would be like cutting a Man in two halfs & then expect him to live. They added no more but used them with a great deal of contempt while they staid in their Town.

Governor Clinton to the Duke of Bedford.

[New-York Papers (S. P. O.) XL, 123.]

My Lord Duke.

In obedience to your Grace's commands, by letter dated the 19th July last, the next day after I received it, I gave that letter to the deputy Secretary, and sent a copy of it to the province Treasurer. As these two are by their Offices the properest persons to give the informations required by your Grace, and the Treasurer the only person that can give a compleat and perfect answer, I gave each of them an order to make a distinct and compleat answer, to every thing required in your Graces letter. I now enclose the answers I received

his conduct was eminently conducive to the best interests of both the King and his people. The Swedish traveler, Du Kalm, bears abundant testimony to his scientific acquirements; while even his meagre appearance and deformed person added to his influence over the savages. "He must have a mighty soul," they said, "since, with such a base body, our Great Father has sent him such a distance to command us." De la Galissonière returned to France in 1749, where he was placed at the head of the department of nautical charts. He is best known in English history by his affair with the unfortunate Byng, in 1756, which resulted in the judicial murder of that excellent officer, in order thereby to screen the criminal dereliction of his superiors. He died at Nemours, October 26, 1756, full of glory and honor, and loudly regretted by Louis XV., who was so sensible of his worth that he had reserved for him the baton of a Marshal of France. *Biographie Universelle.* — Ed.

from them; Your Grace will perceive that the Treasurer's answer, is a mere evasion from answering at all, and is in effect a refusal to answer, because he could have given an account, as matters then stood, and could have reported what number of Bills are in his custody, ready to be cancell'd. But the case is truely this: that after considerable sums are brought into the Treasury to be cancell'd, and the Treasurer has it in his power to send these Bills abroad again, for his own benefit, or the benefit of his friends. That he actually does this, is put out of question, by numbers of bills now passing current, which by the acts by which they are emitted, ought to have been cancelled several years since and it is likewise confirm'd by the Treasurer's disobedience to an order which I sent him on the 27th June last in pursuance of His Majtys instructions to me, with his frivolous excuses for his disobedience to that orders, copies of which I likewise transmit to your Grace. Large sums thus remaining in the Treasury, I am confident are of the greatest use to the Faction in the Assembly, as they by their influence over the Treasurer, can comand whatever sum they please, and for every purpose that can enlarge their influence and power, or distress my administration, while the Treasurer thinks himself secure under the protection of an Assembly (or of a ruling faction in it) and whose Officer he looks upon himself to be, and not the King's. While the faction in opposition to the Administration, has such large sums in their power, neither the Governour, nor any Officer in the Governt has a single farthing either for salaries, or for the defraying of any expence of Governt however necessary; The King has been at a great expence, in sending over a considerable number of Canons, with their carriages, and other warlike stores for the defence of this Colony; he maintains likewise four independent companyes for its defence; the carriages of the Guns and many of the stores will perish for want of care; the soldiers suffer in their Barracks by their being out of repair, the fortifications are dayly decaying, and falling down for want of sufficient repairs, while it is not in my power to prevent it. I am now obliged to provide the Garrisons in firewood and Candies, and many other necessarys out of my private pocket, which I can not continue, while I have no salary to myself. The creditors of the Governt have remained long without their just dues for large sums, Coll. Johnson has upwards of £5000 due to him, which they allow to be a just debt, but as he will not be a tool to them, they always take care to put him off in some scandalous manner. Your Grace then can not avoid seeing, in what distress the Administration of Governt must be, while the faction in opposition has such large sums in their power, to make use of to distress it, and to enlarge their influence; while the Judges are thought to head the Faction, or to be favourers of it, Your Grace I believe will perceive that it is not in my power to compell obedience to my commands, however just or necessary they be, in opposition to that faction. From what I now write, and from what I have formerly on several occasions represented to your Grace I am confident, you will think it necessary, that some effectual measures be speedily taken, for the recovery and support of His Majtys authority, in this province. I have been under a necessity to give your Grace so much trouble, from time to time, that I think it proper to write what I have further to say, to the Lords of trade and Plantations, rather than to intrude to much upon your Grace's patience.

I am with the Greatest of respect
My Lord Duke
Your Grace's most obedient, and
most humble servant

New York 22nd November 1749. (signed). G. Clinton

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 75.]

Fort George in New York
26 Nov 1749.

My Lords

On the 27th of June last I sent an order to the Treasurer of this Province to be informed of the true state of the Revenue and of the money now remaining in the Treasury to which I have not been able to procure any answer, under frivolus excuses & pretences, as will appear by the Certificates of the Treasurers answer herewith sent

His Grace the Duke of Bedford directed me, by his letter of the 19th of July to send a particular state of all the Bills of Credit in this Province pursuant to an address of the house of Commons to His Majesty for that purpose I have likewise not been able to procure any answer from the Treasurer to what was required by the Kings express command of which I have more particularly apprised his Grace. From this your Lordships will perceive what his Majestys authority is reduced to as well as that of his Governor in this Province

On this occasion I think it incumbent on me to inform your Lordships of the State of the Treasury, and publick money in this Province, so far as I have been able to procure knowledge of it myself When Mr Hunter came Governor into this Province early in the year 1710 a strong Faction was then formed in the Assembly as now on republican and levelling Principles with a noted Republican at the head of the Faction & Speaker of the Assembly who obstinately refused to grant any Revenue for support of Government in any manner comformable to the Kings standing Instructions. Tho' Mr Hunter dissolved the Assembly several times, it was to no purpose, The Faction still prevailed—Thus he and all the officers of the Government remained without any support, for four years from 1710, to 1714. In the mean time, Mr Hunter drew Bills by order of Queen Anne for large sums to defray the expence of an Expedition, then udertaken against Canada, and for supporting a considerable number of Palatines who were sent over by the Queen to this Province and these Bills were all protested Mr Hunter and all the officers being so far distressed he was under a necessity of making compliances to the Assembly in order to obtain a support for himself & the other officers of Government. This he did by yielding to them the nomination of the Province Treasurer who was to receive and pay all money grantd to the King by Act of Assembly, Before the time all the publick money was received and paid by the Kings Receiver General of this Province. Mr Mompesson who was sent over from England Chief Justice of this Province as his Predecessors had been, happening to die about this time, Mr Hunter appointed Mr Morris to be Cheif Justice and had the appointment confirmed by the King—He was the first native of America I beleive who had been Cheif Justice—The reason of Mr Morris's appointment I beleive was the use he was of in the Assembly which gave the Revenue he being a member of it. Mr Hunter was likewise obliged to consent to a very large emission of paper Money & from this a Paper currency had its first rise in this Government

The Assembly having thus forced the Governor to yield & to act in contradiction to his Instructions after he could obtain no assistance from the Kings Ministers. The Assembly continued from time (as occasions offered) in grasping more and more power to the Prejudice of the Royal Prerogative 'till the Kings authority and Power of Assemblys are at last brought

to the state they now are which I have formerly represented to your Lordships, I am persuaded your Lordships more fully & particularly inform yourselves from the Papers remaining in your office, than I can, to the first rise of the incroachments upon His Maty's Prerogative

The use that is now made of the Treasury and the influence which a ruling Faction in the Assembly have over the Treasurer besides what I have formerly taken notice of By the several Acts by which paper money is issued it is to be paid in by Taxes & Duties in to the Treasury, at stated times, and then sunk, But in place of sinking these Bills, large Sums have been for several years preserv[d] by the connivance of the Assembly, and it evidently appears from the Tenor & Date of several Bills now passing current, in this Province, that these Bills have by some fraudulent means been remitted from the Treasury — It is by this means that the Faction by their Influence over the Treasurer can at any time obtain large sums of money to carry on their designs against His Majesty's Authority, & in distressing my administration, while a Governor cannot command one farthing for support of Government

And the Treasurer thinks himself secure while he does not look on himself as the Kings officer but the Assembly's.

While the judges either had the Faction or favor it against the Governor it is not in his power to compell obedience to any orders however just or necessary. From what I now tell your Ldps besides all the other particulars which I have formerly represented to your Lordships you must be sensible how weak the Kings authority is in this Province and how it is no way in the Power of a Governor to support the Kings authority, against the Power of a Faction which has by so many ways & for so long a time been gathering strength in this Province and who have carryed their views so far as to think that all Governors for the future must be subservient to them. I hope your Lordships will be at last fully convinced that no time is to be lost in taking the necessary steps for crushing this insolent daring & dangerous Faction. As for my own part no consideration of Private Interest could prevail upon me to bear longer the Insolence I suffer from them, but as I had (by too great confidence in Cheif Justice Délancey) at my first coming into this Government given them by his advice, many advantages which they have since made use of against me; I thought it my duty to do all in my Power to make amends in restoring the Kings Authority, and in doing some kind of Justice to my own Character

But I hope that your Ldps will consider that too long a continuance of the Hardships and difficulties I labor under and suffer may at last be too much for a moderate mans patience

Your Lordships may be a little further let into the views of the Faction as to money matters by the reasons given by M[r] Colden, for his dissenting to the passing the two Bills in the year 1747 — The one intituled An Act for appointing Commissioners to take examine and state the publick account &c The other an Act for the more effectual cancelling the Bills of credit of this Colony & entered in the minutes of Council for Assembly affairs 3[rd] Nov[r] 1747 transmitted to your Lordships, to which I beg leave to referr For which and other reasons I refused my Assent to those Bills

I humbly propose to your Lordships consideration, whether it be not necessary to suppress the office of Treasurer set up in direct opposition to His Matys Commission under the Great Seal of Great Britian, appointing a Receiver General of his Revenue &c in this Province, and whether notwithstanding of the Acts of Assembly of this Province the Receiver Gen[l] may not be directed and impowered to take the publick money into his Custody, and which is granted to the King, but on conditions and Terms in many instances contradictory to the direction of His Matys Commission to his Governor of this Province, by the Authority of

which only, the Assembly sits and acts and are empowered to make Laws or levy money on his subjects, and especially as none of these Acts have received His Matys approbation (so far as I know) In case this should be thought proper to repeal these Acts. I must pray Your Lordships to consider how far the King can by His Prerogative dispose of this money without the consent of the Assembly or Legislature of this Province. However this be I think that the putting the money into the Receiver Gen[ls] hands and repealing the Laws by which it is now put into the Treasurers hands and issued would put the Assembly under a necessity of consenting to such Laws for the issuing of it as shall be consistent with His Matys Commiss[n] & Instructions: But on all events the authority of Parliament would be most effectual to remove all difficulties

I must likewise beg your Lps to consider whether it be not nesessary for the Preservation of His Matys authority and the due execution of justice to send over some able Lawyer to be Cheif Justice of this Province. I am humbly of opinion that it is absolutely necessary but more especially after a Cheif Justice a Native of this Province has presumed to head a Faction in opposition to the Government as established by His Majestys Commission & Instruction's

Your Lordships will perceive by the Copy of my letters to the Governor of Canada, and his answer how he delays to set his Majesties subjects at liberty I have too much reason to suspect from what I have formerly wrote to your Lordships what the French are doing at this time, that the delays he makes notwithstanding his promises and Profession of Sincerity is only with a view to lessen the English Credit among the Indians and to withdraw them from us by giving them an opinion of the French Superiority over us & that the French neglect and despise [us]. What the Governor of Canada shall do in consequence of my last letter will put this matter out of doubt. However in the mean time I think it proper to apprize your Lordships so far

I am with the greatest Respect
My Lords
Your Lordships
most obedient &
most humble Serv[t]
sg[d] G: Clinton

Lieutenant Lindesay to Governor Clinton.

[New-York Papers, Hh., No. 76.]

Oswego 23[rd] Sept[r] 1749

Sir

In obedience to your Excellencys orders dated 28[th] May last inclosed I send you the account of the number of Traders, Battoes & their Cargoes that have come here this summer I also send a return of the number of foreign Indians, Canoes and Cargoes they brought

The first summer I was here I was at as great Pains as I could with the farr off Indians to promote this Trade, and incorporate them with the five nations in which I spared no expence and had all the assurance from them I could desire. You will see by the number that have

been here this summer that their intentions were to fulfill their Engagements and there would have been at least one third more Canoes here had they not been stopped at Niagara by the French, who used them most barbarously On my hearing this I spirited them up with my utmost endeavors with the five Nations to go there and protect & defend those Indians in their Liberty at a place that belonged to them, and to which they were obliged, those Indians being mostly joined in Alliance with them, but to no purpose, for our five Nations going so often to Canada seem to have sold themselves to the French, and are as much their Slaves as their own Indians are, I am at daily trouble and expence to make them better and although I be neither enabled or empowered to do any thing I cannot but use my best endeavor, in an affair that the good of the Country does so greatly depend on. I have dayly opportunities to see what Pains the French take to gain our five Nations many ways and they seem to be in too good a way to succeed if the Assembly do not enable your Excellency to empower Coll Johnson to take proper means to keep those we have on our side and gain over some other leading Indians, The consequence will be worse than is proper for me to say, I beg pardon for this liberty and am with great esteem and Respect

Sir

Your Excellencys

most obedient Servant

sg^{d} Jn^{o} Lindesay Commissioner

Return of Western Tribes who traded at Oswego. 1749.

[New-York Papers, Bundle Hh., No. 76.]

Oswego 20th August. A Return of the Farr off Indians, the number of Cannoes, the number of People and number of Packs for each Nation, and the amount of the same.

THE NAMES OF EACH NATION	Number of Canoes from each Nation	Number of People from each Nation	Number of Packs from each Nation	Amount of the Number of Cannoes of the Farr off Nations	Amount of the Number of People of the Farr off Nations	Amount of the number of Packs of the Farr off Nations	Amount of the value of the Packs from the Farr off Nations at 14 pounds pr each Pack	Amount of the Packs from the Cocknawagas and French	Amount of the value of the Packs from the Cocknawagas and French at 30 pounds pr Pack	Total amount of the Packs	Total value of the whole
Wyencktenacks	39.	313.	293	147.	1177	1049.	£ 14686.	336	£ 6720	1385	£ 21406.
Potawtumies	20	160	140								
Twigtwies, Meames	11	88	77								
Missasagas	25	200	175								
Monomunies	10	80	70								
Mitchinimackenucks	9	72	63								
Oroonducks	1	8	7								
Shepawees	32	256	224								
Cocknawagas and Shoenidies	43	344	301.								
French Traders	3	26	25.								

Jno Lindesay Commissary at Oswego.

Governor Clinton to the Marquis de la Jonquière.

[New-York Papers, Hh., No. 77.]

Fort George Oct 30th 1749

Sir

The first letter I received from you gave me a high esteem of your candour & desire, that the subjects of both Crowns of Great Britain & France might soon partake of the benefits of the Peace & Tranquillity now reestablished between them and more particularly that those who have had the misfortune to be taken Prisoners should enjoy the sweets of liberty in their own country

I have I hope clearly demonstrated my intentions for these good purposes, I have done every thing that could be expected from me, Therefore it was with no small surprize, that I received the account of Mr Sanders Return without bringing back any one prisoner after you had fully agreed with him, as to the time and place of a General Release on both sides, and that you had changed your resolution on the surmises of a few Indian Cheifs These Indians have deceived you in their relation of the Facts

This will plainly appear to you by the enclosed account given me by Coll Wendall of Boston, one of the Council of that Province and who is well acquainted with all the publick affairs of that Government and more particularly so in what relates to the Indian affairs

Mr Launieres whom you sent to me, and the Indian Cheif who came with him are so well satisfied with that Relation that they both agreed that it was needless for them to go forward to Boston, and were willing to return immediately that the mutual Release of all the Prisoners without distinction may be no longer retarded

I have, Sir, Good ground and many reasons to complain of the obstruction put to the Liberty of the King my Masters Subjects contrary to the Treaties subsisting between both Crowns, but I still trust so much in the sincerity of your Promises that I shall at this time forbear it in Confidence that you will do every thing in your power for the speedy return of all the Prisoners both English and Indians

My desire is (as you declare yours to be) to do every thing for the Good and advantage of the People in both our Governments, and I shall omit no opportunity of shewing the sincerity of my Intentions on all occasions

The Cold Season of the year is so far advanced that it must be difficult to fix a certain time for the speedy return of the Prisoners on both sides, And therefore I desire you would as soon as possible (after the receipt of this) send back one of the English Prisoners with one or more of the Indian Prisoners with a letter signyfying the time when the definitive exchange of the Prisoners can be made on your part according to the agreements you made with Mr Sanders and I shall take care that it be punctually performed on my part

I persuade myself from your Candour & Sincerity that you will not refuse any thing in your power to remove the Jealousies that the People may entertain by this unexpected detention of the Prisoners and for this purpose I propose to you to send as many of the English and Indian Prisoners now in your hands as can travel in the Winter Season to Albany, with such persons as you shall please to appoint to conduct your Prisoners back and I shall order all the Prisoners of this Government who are able to travel to be furnished with every thing necessary & convenient for their Journey, as far as Fort St Frederic. This I propose Preferrable to the former method as what I think may give the best satisfaction to the people in both our

Governments and will prevent the delays which must otherwise happen, by Messages previous to the release of the poor Prisoners

Next Summer the Prisoners on both sides, who are not able to travel in the Winter Season, may be returned as soon as the Season of the year will permit them, And I on my part promise that the Prisoners who remain in my Government shall have all the care taken of them, and all the liberty & indulgence they can expect during their stay till the can conveniently return

You may be assured that whatever kindness you shew in hastening the return of the Prisoners, who have been so long detained in Canada and in making it comfortable & convenient to them will be gratefully acknowledged in this Goverment and I shall make it my endeavor to make a proper retaliation and to convince you of my Intentions I enclose you my letter designed for the Governor of Boston before Coll Wendalls arrival in behalf of the Prisoners contained in the list you sent me. And am with very great esteem & respect

Sir

Your most obedient &

most humble Servant.

P. S.

As to the two Amalicites taken out of the Canoe Coll Wendall[1] says this was not done in their Government but in Nova Scotia and that he is well assured that M[r] Mascarine Governor of Annapolis had ordered them to be restored, and doubt not they are already returned to their Friends

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., 79.]

New York 22[d] Nov 1749

Sir

As your Excellency has required me to give my opinion on the present State of Affairs among the Indians, I am under the necessity of revising the Conduct of our former managers which is demonstrated by nothing so much, as the untoward disposition of the six Nations at the Commencement of the War: Their own letters testify their inability to make the Indians any way tractable in the Service I beleive in a great measure owing to the contempt the Indians must consequently have of a set of Men who were more concerned in buying and selling, than in advising or consulting them in what might regard the Honor of the Crown, the Interest of the Province, or the Wellfare of a usefull body of men, so absolutely necessary, as the only Barrier, against so bad a neighbour [as] the French who observe a quite different conduct, much to their own advantage and our Detriment as we have had too woeful experience of in the late War—They never employ a Trader to negotiate any matters with the Indians

[1] Hon. Jacob Wendell, son of John and grandson of Evart Jansen Wendell, was born at Albany in the year 1691. Whilst yet a minor, he was placed under the care of Mr. John Mico, of Boston, where he afterwards settled as a merchant and married Sarah, the daughter of Dr. James Oliver, 12th August, 1714. Mr. Wendell was Colonel of the Boston Regiment, Member of His Majesty's Council for the Province of Massachusetts, and was repeatedly employed in the negotiation of treaties and exchange of prisoners with the Indians. He died 7th September, 1761, aged 70 years. *New England Genealogical Registry*, I., 186; VIII., 315.—Ed.

but a Kings officer, who in whatever Rank or capacity is attended by a Retinue of Soldiers accordingly to denote his consequence if he be but a Lieutenant or Ensign it is sufficient to command Respect from the Savages, who tho' somewhat warlike are actuated by their Fears at a small appearance of Power. I must remind your Excellency of a letter I sent to you (which was intercepted at Oswego) from a French Enginier to the Governor General of Canada informing him of a place or places proper to fortify, upon the Lake near the Senecas, I do not pretend to know much of the Geography of the Country so high as that but shall make it my study to enquire into it, in the mean time I submitt it to your Excellency if it would not be proper from such a limit, that there should be more soldiers posted on our Frontiers in those Parts than are at present for by what I have observed between the French and us, it is a standing Maxim with them to be before hand — Those that fortify first in the Indian Country are not molested unless in war time Witness Oswego by us & Crown Point by the French — There is a place called Tierondequat, in the Senecas Country which I beleive was purchased in Mr Clarkes Time, that would be a very proper place to fortify and settle The French I have been told are certainly trying to buy it again of the Indians

I can not think a whole company will be at all too many to post above Fort Hunter among the Indians, it would take up too much of your Excellencys time to exaggerate the importance of keeping the Indians in our Interest, or mentioning of what consequence I have been or am, among them to my dayly Fatique and consequental Expence

Your Excellency has been pleased to approve my conduct and that is the only encouragement I have to continue to act

The Assembly of this Province have injured my fortune much by delaying my just dues, and it is impossible for me to proceed, unless there be some appointment from home independant of the Assembly to defray from time to time the expences I am dayly obliged to be at in treating with all sorts of Indians — The well ordering of whom is of much more importance to the Welfare of His Matys Government than the whole act of governing the unruly Inhabitants, who from the indulgence of former Governors have curtailed their Prerogative, I may say the Kings from thence are become refractory to the mildest manner of ruling

Your excellency is Plenipotentiary with the Indians, who tho called subjects, are a foreign people, and are to be treated with as immediately from the King, by His Majesty's Governor, nor should the narrow minds of an American Assembly prescribe methods of managing a people of the greatest importance to our Trade in Peace, and the preservation of our Lines and properties in War in this part of the world

Your Excellency may be sensible from the miserable slaughter, that at times was made on the independant Companies and the new Levies that it is a very unequal match between Indian and Christian, in this close woody country Therefore it would be of the most material importance for fear of an other rupture at any rate, constantly to promote a good disposition in the Indians to assist us in the Defence of our Enemies of the same color as well as against the French

At this time I can not help pointing to your excellency an instance of the Assemblys wonted Frugality: Upon your soliciting a hundred pounds to defray the expence of my keeping the Indians from going to Canada, where they were invited by many repeated instances of the French Governors to agree about releasing some Indians of their Nation. If I had suffered them to go, they would probably have been laid under some obligation. For the Governor of Canada

would have insinuated to them that it was through his influence and Interest only that it was done so that their hands would have been tyed when we had need of them. For which reason I thought proper at that time to signify to them that it was your Excellencys only and not the Assemblys pleasure, and as you had lead them into the War you would be accountable for their Brethren in Durance. They are not yet released, and I should be sorry the matter should be neglected so long as may put the Indians out of Patience, when they will have no other resort, but laying themselves under the above obligation, this among other things as far as it is carried by the Assembly, I look upon to be as considerable as any thing, that may be done especially as the War is at present ended I am with all regard imaginable

Sir

Your Excellencys mo humble
and most obedient Servt
signed Wm Johnson

Colonel Wendell to Governor Clinton.

[New-York Papers, Hh., No. 80.]

New York Oct. 28th 1749

May it please your Excellency

As I am informed the reason given by the Governor General of Canada, that the Captives belonging to this as well as the Province of the Massachusetts Bay, were not allowed to come with Mr Sanders, was on the application of the St François Indians to him, that they had some of their nation prisoners on an Island near Boston. I think it my Duty to inform your Excellency, that in the beginning of the War with France some Men Women & Children of a Tribe called by us Pigwackitt come to a Fort near where they lived and desired they might live among the English for that they desired not to be concerned in War, and they lived some time at the Fort, but when the War was proclaimed against the Eastern Indians, they were brought up to Boston, where good care was taken of them by the Government, a suitable place about fifty mile from Boston provided for them to live at, where there was good Fishing and Fowling and their Cloathing and what else they wanted provided for them by the Government; on the Application this Summer of the Eastern Indians to Governor Shirley for Peace and the Messengers promising to call in all the heads of the Tribes concerned in the War with them, the Governor or Commissioners appointed by him for the concluding of a Peace at Casco Bay it was concluded by the Governor, if these Pigwackitt Indians desire it they should go down there and either go with the Indians or return where they live and I am informed by Mr Boylston who left Boston some time after me that he saw these Indians there and the Commissary General told him he had orders to provide for and send them all down to Casco Bay where the Treaty was appointed, that I beleive the acount thereof may be sent to Canada before now, and the St François satisfied. This as my memory serves me I have given your Excellency a true account of those Indians, and hope when the Governor General has it sent him he will send home the Poor Prisoners belonging to this as also the neighbouring Provinces

I am may it please your Excellency

Sir, yr most obedient humble Servt
sgd Jacob Wendell

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.) XI., 130.]

(Duplicate).

New York 29. Novr 1749.

My Lord Duke.

This day the Treasurer delivered to me in Council, what he calls a State of the Bills of credit, though a very imperfect one, as Your Grace will perceive by the objections I make to him in my enclosed copy of the letter I sent him on the perusal of it.

Your Grace in my humble opinion will plainly observe the dependence the Treasurer has on the faction in the Assembly and that he expects by their interest and influence to be screened from any further inquiry into the affair, by the equivocating and evasive account he has delivered in, not in the least compliant with his Majtys, Your Grace's, or my positive orders for that purpose, and when there is so notoriously an apparent fraud somewhere by so large a number of the Bills remaining uncancelled; This being so remarkable a disrespect to His Majty, I hope will deserve Your Grace's inspection in an affair of such importance to the Royal prerogative—I am with the greatest respect—

My Lord Duke—

Your Graces most obedient

& humble servant

To his Grace the Duke of Bedford.

(signed). G. Clinton.

Duke of Bedford to Governor Clinton.

[New-York Colonial Manuscripts, Sec. Off., Albany, LXXVI.]

Whitehall 7th Decemr 1749.

Sir

The King and His Most Christian Majesty having agreed that all the Indians allied to or protected by either of the two Crowns in America, who may have been made Prisoners on either Side during the late War, should be forthwith exchang'd, His Majesty has thereupno been pleas'd to sign Orders to you, Govr Glen, Govr Shirley & Govr Belcher for that purpose, and I have His Majesty's Commands to acquaint you therewith, & to transmit to you a Copy of His Majesty's said Orders for your Information, (till such time as the Orders shall be exchang'd for similar ones on the part of the French King) that you may cause a proper Enquiry to be made of all such Indians, as may have been made Prisoners by the French during the late War, & are still detain'd in the French Governments.

I am

Sir

Your most obedient

humble Servant.

Bedford

Govr Clinton

Order to the Lords of Trade to Report on the state of New-York and New Jersey.

[New-York Papers, Hh., No. 58.]

At the Council Chamber Whitehall the 2d of February 1749.

PRESENT—The Lords of His Majesty's most Hon^ble Privy Council.

It having been represented to this Board that His Majesty's Provinces of New York and New Jersey have been for some time past and still continue to be in great Disorder. It is therefore hereby Ordered in Council that the Lords Commissioners for Trade and Plantations do forthwith lay before this Board the present State and Condition of both the said Provinces, together with their Opinion what may be most advisable for His Majesty to do therein.

W. SHARPE.

Order for delivering up all the Prisoners.

[New-York Colonial Manuscripts, Sec. Off., Albany, LXXVI.]

GEORGE R.

Trusty and Well beloved, We greet You Well Whereas in Order to put a compleat End to the Calamities of the late War, and to extend the Blessings of peace to all Ranks of people, who may yet labour under those Calamities, We have come to the following Agreements with Our good Brother, the most Christian King, 1 mo: That all Prisoners whether English or French now detain'd by the Governors of Our Colonies or by those of New France in America shall be forthwith released—2 do: That after all the English and French prisoners shall have been reciprocally restored, the Indians prisoners in Alliance with, or under the protection of the two Crowns, Shall Likewise be set at Liberty on both sides; And 3 tio: That the respective Governours shall afterwards facilitate on their part the Redemption of any Slaves, which may still remain in the Indian Villages; Our Will and pleasure therefore is, that You do immediately upon Receipt hereof, give the proper Directions that the Same be forthwith carried into Execution by causing such French or Indian prisoners allied to or under the protection of the French King as may be detain'd in Your Government as Prisoners of War, to be restored into the Hands of the French Governor or Governors, or into the Hands of such Person or Persons as shall be duly authorized for that purpose; and by facilitating on your part the Redemption of any Slaves which may Remain in the Indian Villages. Provided however that the French Governor or Governors shall cause to be delivered up into Yours, or into the Hands of such Person or Persons as You shall empower to receive them, all English or Indian prisoners in our Alliance, or under Our protection, as may have been taken by the French in the Course of the late War, & detain'd as prisoners of War; And shall likewise facilitate on his or their part, the Redemption of Slaves as abovementioned, And it is our farther Will and Pleasure that You, or the person or persons properly authorized by You, do agree with the French Governor or Governors, or with such person or persons as he or they shall authorize for that

purpose, upon fixing a proper place or places for the exchanging and redeeming of the said respective prisoners and Slaves. And for so doing this shall be Your Warrant; And so We bid You farewell. Given at Our Court at S^{t} James's the Sixth Day of February 17$\frac{4}{5}\frac{8}{0}$ in the Twenty Third Year of Our Reign

By His Majesty's Command

BEDFORD

Order for delivering up all English French and Indian Prisoners.
& for facilitating the Redemption of Slaves in America.

A true Copy Exam^{d} p^{r}
Gw BANYAR D Sec^{t}ry

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 81.]

17 Mar. 1750.

My Lords

I think it my Duty to send your Lordships copies of the Information, I have received of the indefatigable pains, the French of Canada are taking to withdraw the affections of all the Indian Nations, from the British Interest, by endeavoring to set the several Nations (in Friendship with our several Colonies) at War with each other, and to draw others into a dependance on them That your Lordships may more fully perceive the consequence of the French attempts, it is necessary to observe to your Lordships that the Catawbas are a numerous nation depending on Virginia, the Nation on belle Riviere is principally dependent on Pensylvania, the Missisaguees are a nation formerly dependant on the French, but in the last War joined with us, and for that reason deserve our greater care, as they are thereby more exposed to the French resentment as the King at this time has not one farthing of his Revenue in this Province which he can command for any service how pressing soever I am absolutely disabled from doing my Duty on that occasion, and as the Assembly possitively refuse to grant any money but in a manner inconsistent with His Mâtys Instructions and which evidently tends to put the executive Powers of Government into their hands I have thought it my duty to refuse it upon those Terms till I shall know His Majesties pleasure thereon, and that it may expose His Majesties authority to contempt, if I should again meet the Assembly of this Province before I know His Mâtys pleasure on the matters which I have transmitted to His Grace the Duke of Bedford and your Lordships last Fall: I must therefore ernestly intreat your Lordships to give me directions on the matters I have formerly laid before you because in the mean time His Majestys Service must exceedingly suffer on many occasions but especially among the Indians. For the French in Canada are but too well apprized of the Public Dissentions in the Colonies and the advantage thereof to prosecute their Schemes. Your Lordships may easily imagine that I am under many other difficulties in the present posture of affairs of this Province, and as I am persuaded that your Lordships are fully sensible of the pernicious effects, the factious spirit every where too visible in the Colonies, must in time produce, your Lordships will loose no time in your endeavors to give an effectual remedy for cure of these evills

I have at last transmitt[d] your Lordships a list of the Number of Inhabitants, not being able to do it sooner for the reasons I formerly acquainted your Lordships

I have the Honor to be with very great respect

My Lords

Your Lordships most

humble and obedient Servant

sg[d] GEO: CLINTON

Colonel Johnson to Governor Clinton.

[New-York Papers, H., No. 82.]

May it please your Excellency

I received an express yesterday from the five Nations, that they received several Belts of Wampum from the French Governor, which are to be opened at my house in a general Assembly of the Sachims Wednesday next. When I have heard the news I shall acquaint your Excellency thereof. The French were never so active among the Indians as at present while we must lay still and only look on not having power to do any thing which give me leave to assure your Excellency must hurt or weaken our Interest prodigiously as the Indians must soon imagine they are neglected or rather slighted by us

I am

Sir

Your Excellencys mo'

obedient humble Serv[t]

6[th] Jany 1750. sg[d] W[m] JOHNSON

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 82.]

22[d] Jânry $17\frac{4}{5}\frac{2}{0}$

May it please your Excellency.

I am very glad your Excellency has given orders to have the Indian children returned, who are kept by the Traders as pawns or pledges as they call it, but rather stolen from them (as the parents came at the appointed time to redeem them, but they sent them away before hand) and as they were children of our Friends & Allies, and if they are not returned next Spring it will confirm what the French told the six Nations (viz) that we looked upon them as our Slaves or Negroes which affair gave me a great deal of trouble at that time to reconcile I can not find that M[r] Abeel who has a Seneca Child, or Vandrieson who has got a Missisagey, are to deliver theirs which I am apprehensive will cause great disturbance

I must also acquaint your Excellency that most of the Indians of both the Mohawks Castles are determined to go to War with the Catawba's and are to be joined by great Numbers of

their Brethren as also by several other Nations I have for some time past kept them from that vile practice notwithstanding the French used all their endeavors to set them on but as affairs are circumstanced at present it is out of my power to attempt it however I must humbly represent to your Excellency that the bringing about a Peace between them Indians and ours would be a thing of great importance & the only way in my humble opinion to effect it, would be to get about half a Dozen of the Cheifs of that Tribe or Nation to come here and desire a Peace with the Six Nations, which I flatter myself I could persuade them to agree to—The Oneida Sachims were with me last week ernestly desiring they may be allowed a Smith among them. I told them I would acquaint your Excellency of it and let them know your answer there is but one smith this Winter among the five Nations

I am

Sir

With great Respect

Your Excellencys humble St.

(sg^{d}) Wm Johnson

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 82.]

Extract.

Feb^{ry} 19th 17$\frac{4\,9}{5\,0}$

Since my last I had a Conference with all the Sachems and Warriors of both the Mohawk Castles as I wrote your Excellency I expected Inclosed you have what was any way material, by which and sundry other Instances it is most evident, the French are using all means & Stratagems in their power to overset all we have done this time past with regard to Indian affairs & will certainly accomplish, if proper methods are not immediately taken to prevent them, They have ever since the Peace, Officers & Interpreters with great quantities of Goods for presents among the Foreign Nations but much more at a settlement of Indians at Ohio River than any where else, as they are the only Body of Indians now upon the Continent whose Friendship or alliance is most worthy of courting or continuing wherefor if we lose them (who have been for these three years past so firmly attached to the British Interests as by sundry instances can be made appear) it must be our own faults & the consequences may be very bad, tho' not immediately felt Wherefore I hope your Excellency and Council will consider seriously of the Importance thereof. Upon hearing that the Canadians were busy mustering up a number of men for some Enterprize in the Spring I thought proper to send an express through the five Nations with a Belt of Wampum to acquaint them of it, and also to those Indians above mention'd desiring them to keep their Warriors home least the French, who are a designing people, should surprise them, as they have threatened them, such precautions are very requisite, as it shows them we are tender over their lives and safety, My opinion is that notwithstanding the stedfastness of them Indians at Ohio, if this Government or Pensylvania, which lays more contiguous to them) do not exert themselves so as to counterballance the Favors of the French we shall inevitably forfeit their esteem, which may prove of worse consequence than people are aware of.—I am Sir Your Excellencys

most humble Servant

(sgd) Wm Johnson

A true Copy

G. Clinton

Hendrick's Speech to Colonel Johnson.

[New York Papers, Hh., No. 83.]

At a Meeting of the two Castles of the Mohawks Feb^{y} 2^{d} 17$\frac{4\,9}{5\,0}$ at Mount Johnson

PRESENT—All the Sachims & Cheif Warriours of y^{e} Castles

Hendrick spoke & Said

Brother Warraghiyagee

We are come here to acquaint you with what news we have received from the Southward, and also from the Westward

As the five Nations arrived at Philadelphia last Fall, they met the Scha,wan,ooes there, and the Scha,ni,ha,der ad,yghroo,nees who were glad to see them, and welcomed the Five Nations heartily on their arrival, and to shew their Friendship & brotherly love to the five Nations, presented them with a Pack of Skins

The Scha,ni,ha,der,adygh,roon,ees & Schawan, oo, es on their meeting the Five Nations at Philadelphia after welcoming them, told the Five Nations that according to their promise made to the Governor and you at Albany last meeting and also to us, that as they lived too far from us, they would move to a place called Scha,han,do,a,na where they then were but were still in a moving posture towards the five nations, picking up a little of every thing they could get to help them on their journey, and that they had now a pritty large Bundle meaning about two Bushells of Wampum, which they sent by them to be divided among the Six Nations, as a certain token of their Friendship, and coming to settle among them as soon as possible

They then shewed the Wampum & then lodged it with me, which was a greater quantity, than ever I saw before

Then Hendrich proceeded to tell me about the French army which went last summer to the Westward and spoke

Brother Warraghiyagee

As Mons Celleron the French commander of the Forces (who went last Summer to destroy the Settlement of Indians at Cajuhaga on Belle River who are in the British interest) arrived there with his Forces, the Indians having notice of their coming from you, were ready to receive them and fixed a number of Guns upon which the Commandant was grazed by a Ball, which discouragement, together with his seeing so great a number of Men there ready to give him Battle, damped his Spirits so that he thought proper to pass by, and sent a message immediately to Canada with the account of their Numbers & his reception at his return he begged to have a meeting with said Indians, when he told them that he came purposely on their accounts, and to serve them, hearing that the English encroached upon their Lands and were to build Forts and settle Towns. Whereupon their Father meaning the Governor of Canada sent him with orders to dispossess the English and prevent their coming among them for the future but not to hurt them. After that was over and he thought he had satisfied or removed their Jealousies he gave them a large Belt of Wampum, with a strong invitation to go to Canada to speak with the Governor and told them they should be there at the time the Bark is easily plucked off the Trees, meaning Spring, without fail and that their Father would receive them with open arms.

The Indians all in a Body made answer they would not go to Canada and so returned his Belt saying why should you expect us to Canada to speak with you when we have refused speaking to you the whole course of the War—returned his Belt

Meeting with no success Mons^{r} Celleron retired and by the way inquiring of his Interpreter and Indians who were with him, whether they did not know of any Indians in the way who were friends to the French, the told him of one who formerly lived in the Senecas country, but now lived at a place called Cas,cagh,sa,gey who they took to be a friend of theirs upon which they sent him word to meet at a certain place, accordingly he met them, Upon which the French Commandant telling him he depended upon him as a friend, and one whom he looked upon as next his heart and desired he would acquaint him with all the news from the Governor of York the Governor of Philadelphia, the Five Nations and all the Indians in their Interest, and what their designs were

The Indians gave him no satisfactory answer telling him that he knew nothing extraordinary, but that the Governor of Philadelphia, some time ago sent their Indians settled on Ohio River 12 Barrells of Gun Powder &c for their use

M^{r} Celleron on parting gave said Indiand and family the strongest Invitation imaginable to go with him and live at Ca,da,ragh,que. The Indian asked him for what reason, as he had a better hunting place where he then was and insisted on knowing his reason for so ernest an Invitation

The Frenchman told him but charged him strictly at the same time not to discover it, for several reasons, it was out of regard for his safety. That the French Governor was fully determined early in the Spring to destroy all the five Nations, Giving said Indian a present in order to sew up his lips, or bind him to secresy but in vain, for he immediately disclosed all the French officer said to him to the Sachims, who sent you this account now and promise they will immediately send you word, if the hear any further News of the French designs, And the five Nations expect you will strictly enquire into the designs of the French, as you may have more frequent opportunities and acquaint them immediately with what you hear

Gave a Belt of Wampum

A True Copy
(sg^{d}) G Clinton

Census of the Province of New-York. 1749.

[New-York Papers, Hh., No. 85.]

An account of the numbers of Inhabitants in the Province of New York, taken 10th May 1749 by order of His Excellency the Honourable Governour Clinton.

	Males White under 16 years	Males White 16 and under 60	Males White above 60.	Females White under 16.	Females White 16 & upwards	Total White	Males Black under 16.	Males Black 16 and under 60.	Males Black 60 and upwards	Females Black under 16.	Females Black 16 & upwards	Total Black
City & County of N. York	2346	2765	183	2364	3268	10926	460	610	41.	556	701	2368
King's County.....	288	437	62	322	391	1500	232	244	21	137	149	783
Albany County	2249	2359	322	2137	2087	9154	309	424	48	334	365	1480
Queen's County.....	1630	1508	151	1550	1778	6617	300	386	43	245	349	1423
Dutchess County.....	1970	1820	160	1790	1751	7491	103	155	21	63	79	421
Suffolk County	2058	1863	248	1960	1969	8098	305	355	41	292	293	1286
Richmond County.....	431	420	36	424	434	1745	88	110	20	93	98	409
Orange County	1061	856	66	992	899	3874	62	95	16	84	103	360
Westchester County.....	2511	2312	228	2263	2233	9547	303	270	66	238	279	1156
Ulster County.....	913.	992.	110.	810.	979.	3804.	217.	301	50	198	240	1006
	Total number of Whites.....					62756.	Total number of Blacks					10692.

Total number of Inhabitants. White and Black. 73448.

G. Clinton.

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.,) XI., 143.]

My Lord Duke.

I have the honour of Your Grace's letter of the first of November, and I humbly thank Your Grace, for the assurances, you give me, that the affairs of this province, which I have submitted to Your Grace will soon be taken into consideration, and that I may depend on all proper assistance to support the authority the King has put into my hands against any unjust or malicious attacks whatsoever.

I am so firmly perswaded, that the matters which are now, under Your Grace's consideration, so much affect His Majtys authority and his service, not only in the province, but likewise in all the neighbouring Colonies, that I hope to be excused my pressing, that your Grace will please to bring them to a speedy a conclusion as possible; for, till I know His Majtys pleasure, I cannot meet the Assembly of this province without exposing the King's authority in the hands of his Govr to contempt: as I believe will clearly appear to your Grace, from the proceedings of the Assembly (in their last sessions) which I transmitted to your Grace in August last. The King has not now one farthing of his revenue in this province at his

command for the support of Govern^{t} in it, though there be large sums in the treasury and which I have reason to believe, the heads of the faction can find means to make use off, to support their interest. The French in Canada are too well informed of the publick dissentions in this and the neighbouring Colonies, and lay hold of this opportunity to weaken our interest among the Indian nations, to the immediate prejudice of trade and indangering the safety of the Colonies for the future, while I cannot take necessary steps for securing our interest among the Indians otherwise, than by advancing large sums out of my private pocket, for this service, which I am in no capacity to do; This is evident by the frivolous pretencies which the Govern^{r} of Canada makes for his not setting the English prisoners in Canada at liberty, and by his endevours, to set the Indian nations (depending on the English Colonies) at war with each other.

I cannot have sufficient ground to hope, that I can better the present state of affairs in this province by calling a new Assembly, while the faction has such an influence over the Treasurer, who has such large sums in his hands, and while the faction can propagate an opinion over the province, that their interest is better than mine, and till the Contrary can be made evident, by the signification of His Maj$^{ty's}$ pleasure, on the matters which have been in dispute. If this is done in the manner I have just reason to hope for, I make no doubt of meeting a new Assembly with satisfaction, and till this be done, I must have the mortification to see His Maj$^{ty's}$ service daily suffer under my administration. I must therefore earnestly beg your Grace's pardon, for my pressing dispatch in this affair. The proofs of the Assembly's attempts to take the whole executive power of Government into their own hands, I think are so evident from their publick acts, that this can admit of no doubt, but indeed they whom I charge with being the heads of the faction formed in this province, for this purpose may have artifice enough to bring the part which they act into dispute, at a distance from this place, though there be no man in this province who has any knowledge of the publick affairs, that can or does make the least doubt of Chief Justice Delancey's being the head of the present faction. Your Grace knowes that it may be difficult to bring what is legal proofs of such kind of secret transactions, but at the same time they may be attended with such open and evident circumstances, as may convince any indifferent person, more than can be done by the deposition of witnesses to particular facts.

I must beg leave further to observe to Your Grace, that the first encroachments on the Royal prerogative, begun under M^{r} Hunter's administration, that the Assembly took advantage of the necessities the Administration was then under (by the war with France and an expedition then set on foot in America against Canada) to claim a right of appointing their own Treasurer, and refused to support the Govern^{t} unless this was yelded to them. M^{r} Hunter struggled under these difficulties for four years from 1710 to 1714. without any support, in hopes that the Ministry would think it incumbent on them effectually to support His Maj^{tys} authority and prerogative in his Colonies, but after all was not only forced to yeild to this demand, but likewise to consent to a large emission of paper money, which remains without being sunk to this day. This I am informed will fully appear by papers remaining in the Board of Trads Office. Since that the Assembly have laid hold of every opportunity to make further encroachments, when the Administration happened to be under any difficulties, and from which, Governours were not able to extricate themselves otherwise than by the gratifications to the prevailing popular factions, and by giving up those who at any time thought it their duty to support His Maj^{tys} Authority in opposition to them. This has been so often done, that

it can not be thought strange, that so few at this time, have the resolution to go on in their duty, under such discouragements by former precedents.

The present faction laid hold of the many difficulties I was brought under, while the expedition was on foot, and since, to carry on their factious attempts, with such insolence, that few such examples have been known, and which I hope will convince Your Grace, it is become absolutely necessary to put a check to the insolence of a daring faction, by a powerful interposition of His Majᵗʸˢ authority and that without this, it will become impracticable for me to do my duty.

I am with the greatest duty and respect
My Lord Duke
Your Graces most humbe and
most obedient servant.
(signed). G. Clinton.

Fort George at New York 19. March 17$\frac{4}{5}\frac{9}{0}$.

His Grace the Duke of Bedford.

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.,) XI., 146.]

My Lord Duke.

I herewith do myself the honour, to transmit to Your Grace, the report of Mʳ Armstrong (late Engeneer for this place) of the state of the fortifications in this province, which was made soon after his arrival; As soon as I had certain intelligence of the peace being finally concluded at Aix-la-Chapelle, I directed Mʳ Armstrong to consider of every thing that was necessary to be done for fortifying this place in time of peace, and for preserving it in case of any future war (especially) with France, and his negligence in obeying my verbal directions, obliged me to send the written order of 27ᵗʰ of March 1749. of which I transmit a copy and of his answer to those orders.

I shall trouble your Grace with no more particulars, then to tell you, that on my acquainting him I was going up to Albany, I thought it would be a very convenient opportunity for him to take a view of the fortifications there and at the out-garrisons, but notwithstanding this friendly offer, he evaded going with me, under pretence of his want of health, which he had likewise before pleaded for an excuse in prolonging his journey from Boston to this place almost four months loitering several weeks at several places on the road, which in great measure rendered His Majᵗʸˢ intention of sending him here, fruitless though at a great and dayly expence to the Crown; he did nothing in pursuance of my repeated orders, but behaved with the greatest disrespect to my person and Authority and left the province, without taking any notice to me, or even acquainting me that he had leave, though his instructions were to follow such directions, as I should think necessary for the security of the province; the sickness he complained of I have just reasons to think, was procured by an immoderate pursuit of his pleasures, with neglect of his duty.

M^r^ Eyre[1] having, in his return from Rattan stop'd the winter season in this place, I endeavoured to take advantage of his knowledge as an Engineer, to make up the loss of M^r^ Armstrong's neglect, and herewith transmit a copy of his report.—

I must beg leave of Your Grace humbly to represent, that as it appears from His Maj^tys^ order in Council of the 16^th^ day of January 1745. that it was expected, that this province should be at the charge of Gunners and gunpowder and all other necessaries for the use of the Artillery, which His Maj^ty^ was graciously pleased (at a considerable expence to send over for the use of this province, and the expence of the necessary fortifications, that His Maj^ty^ has been entirely disappointed in these just expectations he had of the people of this province, contributing to their utmost ability toward so necessary expence for their own defence and security, and that had it not been, that His Maj^tys^ naval force was greatly superior to that of the Enemy, the great quantity of Artillery in this place would have been so far from being a defence to it, that by the Enemies getting possesion of [it] it might have proved of the highest prejudice to it.

As the possesion of this place would open a communication between Canada and the Ocean, the French will always have an eye upon it, and it is of the most material consequence, to the security of all the other Colonies in North America, and for preserving the dependance of all the Indians on the Crown, it is not improbable that the views of the French may be principally turned upon it. And if they by any means, or artful insinuations should alienate, the Indians from our interest (which at this present they are industriously endevouring to do.)

As my hands are tied up, under the present state of this province, of which I have in a particular manner informed Your Grace in my former letters, I can do nothing for His Maj^ty's^ service unless I undertake it at my own private expence, which I am in no capacity to do.

The Artillery, the carryages, stores and all the fortifications here, and at the out Garrisons are every day suffering, and must in a little time be rendered entirely useless, while it is not in my power to prevent it, since the Assembly has assumed to themselves the whole direction of all military matters, as well as civil.

I believe M^r^ Eyre can give so full information relating to the fortifications and Artillery, in this place, that it is needless for me, to be more particular on this head. But my duty obliges me to represent to Your Grace, that as the times of war unavoidably draw a heavy expence with them, by the emergencies which must occurr, it seems very prudent, to put the places most exposed to the Enemy in a posture of defence in time of peace. And if I may be allowed to give the example of the French in their colonies as a motive. I can assure Your Grace that they neglect nothing at this time for this purpose, as Your Grace may perceive from the papers I have transmitted, particularly an intercepted letter of a French Engineer to the Governor of Canada.

I beg leave likewise to observe, that though it be very just and natural for His Majesty's Ministers to think, that the people in this Colony will do every thing in their power, to preserve and secure themselves; yet in reality it is far otherwise, for nothing is in good earnest thought of, but the forming of factions in the Assembly, and of converting the Publick money to private uses, by employing persons absolutely ignorant of the knowledge requisite for the

[1] Captain William Eyres, of the Royal Engineers, became Major in the army 7 January, 1756, and Lieutenant Colonel 17 July, 1758. His name disappears from the Army List in 1765. He was the Engineer who laid out Fort William Henry.—Ed.

services in which, they are employed, but are only fit tools among the people for factious purposes, and thus the publick money has been squandered away uselessly.

I am of opinion that this and many other things of which I have been under a necessity to complain to Your Grace, and the Lords Commissioners of Trade, may be easily remedied, by the principal Officers of the Govern^{t} having their salaries independent of the Assembly, and I must with humble submission say, that this seems to me so essential a part in all Govern^{ts} which are dependant on another, and of itself so evidently necessary that on the smalest reflection, it can admit of no dispute.

At the same time My Lord, I think it my humble opinion that this can not be done without the aid of Parliament, because, they who have got the power, into their own hands, and are fond of it, can not be expected to give it up willingly.—

There have been duties laid in this province, from year to year, and contined for many years, on wine, Rum, and other West India commodities, which, by the continued renewal of them appear to be in no manner prejudicial to the trade of Great Britain; and these if granted by Parliament will be sufficient for supporting the Civil list of His Maj^{tys} Govern^{t} in this Province. When this shall be done it will be much easier for a Governour to obtain any other sums necessary, for any extraordinary service than it is now to obtain the common support of Govern^{t} If these duties were made general over all the Colonies, they could be in no shape, prejudicial to the trade of this Colony, and might serve as a Fund, where the Govern^{ts} of the Colonies are not immediately under the Crown, for fortifying the most exposed frontiers, and of which several Colonies refuse to contribute their proportions, though they protect them because they are not immediately exposed. I must beg Your Graces Pardon for thus presuming to give my sentiments, but I hope the evidence it carries with it, of its being for His Maj^{tys} service will excuse me.

I am with the very greatest of Respect
My Lord Duke
Your Grace's most obedient
and most humble servant
(signed). G. Clinton.

Fort George in New York
26, March 1750.

To His Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 86.]

Fort George in New York
3^{d} Aprill 1750

My Lords

The Assembly of this Province in several of their printed papers have insinuated, that I had converted considerable sums of the publick money to my private use and the Faction has improved those intimations in the minds of the people highly to the prejudice of my

administration; I at first despised this piece of malice, since every man acquainted with the method of issuing any money from the Treasury of this Province must know that it was impossible for me to do so but being last year informed that these insinuations, were by the artifices of malicious ill designing persons carried to an extravagant height, among the people in England to the great discredit of His Ma^tys^ Government in his Plantations

I thought it my duty to put this matter out of all Question, by ordering the Treasurer to make out an exact account, of all money received or paid by him, since I took upon myself the administration of the Government in this Province to that time specyfying particularly every sum by him paid to whom, for what service and by whose order the same was paid. But notwithstanding the order was given to him on the 27^th^ of June last and the same since again and again repeated [as] will appear by the Papers & Certificates herewith transmitted; I have not been able to procure the least account of the disposition of the publick money, Tho' it must be allowed that if accounts were regularly kept, he might have been able to have done it in one Week less and not have been obliged to catch at so frivolous and evasive excuses

I am afraid, My Lords, that many will think, that this refusal must be with my connivance and that otherwise no officer dare do it; but if the incapacity of the Attorney General, the present state of the Courts of Justice in this Province, and the power of a Faction be considered (all which I have more particularly represented on former occasions) it will then be easily understood what it is that emboldens this Officer to behave as he has done, and even neglect to His Mâtys orders signified by his Grace the Duke of Bedford, and on the address of a house of Commons of which I have already informed your Lordships

The Assemblys Treasurers behaviour likewise confirms me in an opinion which I have for some time entertained, that while the Governor can not command one single farthing for his own support or for the support of any officer of the Government or for any service whatsoever, The Faction have it in their Power to make use of the Publick money, to serve their own purposes and that large Sums have been actually so applied and this is the true reason why the Treasurer refuses so evasively to account and like wise from whence he expects to be protected, I am persuaded no other reason can be given that will pass with any man of Sense

As to my own vindication the very Acts of Assembly for payment of the Salaries and contingent charges of Government (passed annually) prove beyond contradiction that it never was in my power to imbezle any money and further that the small (I may say trifling) sums allow'd me from time to time, for contingent charges are far short of what the necessary contingent expenses must amount to, and that I have been under a necessity of paying a considerable part out of my own private money

My duty obliges me to pray your Lordships to consider what must be the state of His Majestys Government in this Province, when the King can not command a single farthing for the support of his Officers, or for rewarding any service or paying any expence however necessary While a bold and insolent Faction may have all the publick money in this Province to use for their worse purposes, and even for distressing and discouraging His Matys most faithful & zealous servants

Your Lordships must certainly perceive that it is impossible for a Governor, under such circumstances to preserve the Kings authority in its proper Dignity but that it must soon fall into contempt, if the usurpations of the Assembly on the Prerogative (whereby a Faction assumes the whole executive powers of Government) be not vigorously restrain'd and some made sensible of the weight of the Kings displeasure and others encoraged who have endeavored to support his Authority against such a daring Faction

Your Lordships will easily perceive what may be the consequences, and this I hope will excuse me, for so often repeating my entreaties to your Lordships, to take the state of this Province into your considerations and which by its example greatly affects all the other Colonies. I think that I may the more freely do this because I am persuaded that the Parliament on a true Representation of the State of the Plantations must think it their duty, to make the royal officers less dependant on the Assemblies in the Plantations than they have hitherto been which may be easily done by granting to the King the same duties and imposts which in the Plantations, are usually granted from year to year, for support of Governm^{t} there

I am with the greatest Respect
My Lords

Your Lordships most
obedient humble Servant
(sg^{d}) G CLINTON

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.) XI., 155.]

My Lord Duke.

The Assembly of this province in several of their printed papers have insinuated that I had converted considerable sums of the private money to my private use, and the faction has improved those insinuations in the minds of the people highly to the prejudice of my Administration. I at first despised this piece of malice, since every man, acquainted with the method of issuing my money from the Treasury of this Province, must know that it is impossible for me to do so. But being last year informed, that these insinuations were, by the artifices of malicious ill-designing persons carried to an extravagant height, among the people in England, to the great discredit of His Maj^{tys} Govern^{ts} in his plantations.

I thought it my duty to put this matter out of all question, by ordering the Treasurer to make out an exact account of all money receiv'd or paid by him, since I took upon myself the Administration of Govern^{t} in this province, to that time, specifying particularly every sum by him paid, to whom, for what service, and by whose order the same was paid; but notwithstanding this order was given to him on the 27th of June last, and the same since again and again repeated (as will appear by the papers, and certificates herewith transmitted) I have not, nor been able to procure the least account of the disposition of the publick money, thou' it must be allowed, that if his accounts were regularly kept, he might have been able to have done it, in a week or less, and not have been obliged to catch at so frivolous and evasive excuses.

I am affraid my Lord that many will think, that this refusal must be with my connivance, and that otherwise no Officer dare do it, but if the incapacity of the Attorney General, the present State of the Courts of Justice in this province, and a power of a faction be considered (all which I have mere particularly represented on former occasions) it will then be easily understood, what it is that emboldens this Officer to behave as he has done, and even to neglect

His Majᵗʸˢ orders signified by Your Grace, and on the address of a House of Commons, of which I have already informed Your Grace.

The Assembly's Treasurer's behaviour likewise confirms me in an opinion, which I have for sometime entertained, that while the Governour can not command one single farthing, for his own support, or for the support of any Officer of the Govern^{t} or for any service whatsoever. The Faction have it in their power to make use of the publick money, to serve their own purposes, and that large sums have been actually so employed, and this is the true reason, why the Treasurer refuses so evasively the account, and likewise from whence he expects to be protected; I am perswaded no other reason can be given, that will pass with any man of sence.

As to my own vindication, the very Acts of Assembly, for payment of the salaries and contingent charges of Govern^{t} (passed annually) prove beyond contradiction, that it never was in my power to imbezle any money, and further, that the small (I may say trifling) sums allowed me, from time to time, for contingent charges, are far short of what the necessary contingent expence must amount to, and that I have been under a necessity of paying a considerable part out of my own private money.

My duty obliges me to pray Your Grace to consider what must be the state of His Majesty's Govern^{t} in this Province, when the King can not command a single farthing for the support of his Officers, or for rewarding any service, or paying an expence however necessary, while a bold and insolent faction may have all the publick money in this province, to use for their worst purposes, and even for distressing, and discouraging His Majᵗʸˢ most faithful and zealous servants.

Your Grace must certainly perceive that it is impossible for a Governour, under such circumstances, to preserve the King's authority in its proper dignity, but that it must soon fall into contempt, if the usurpations of the Assembly on the prerogative (whereby a faction assumes the whole executive powers of Govern^{t}) be not vigorously restrain'd, and some made sensible of the weight of the King's displeasure, and others encouraged, who have endevoured to support his Authority, against such a daring faction.

Your Grace will easily perceive what may be the consequences, and this I hope will excuse, for so often repeating my entreaties to Your Grace, to take the state of this province, into Your consideration, and which by its example greatly affects all the other Colonies — I think that I may the more freely do this, because I am persuaded the Parliament, on a true representation of the State of the Plantations, must think it their duty, to make the Royal Officers less dependant on the Assemblies in the Plantations, than they have hitherto been, which may be easily done, by the granting to the King the same duties and imposts, which in the Plantations, are usually granted from year to year, for support of Govern^{t} there.

Your Grace will likewise perceive what little regard is in this province paid to His Majᵗʸˢ orders, by the papers enclosed, relating to Your Grace's order of 30th May 1749. for an inquiry, to be made to the complaints of the French, on account of four ships brought into this port, after the cessation of Arms.

I hope the inclosed papers will convince Your Grace that I have done my duty, and that it is not in my power, in the present circumstances of the Administration to enforce a proper regard to the King's orders, especially in the want of a proper person to appear for the King, in the

Courts of Justice. All these things combine to shew, the necessity there is of giving the relief and assistance often prayed for. I am with great duty & respect

My Lord

Your Grace's most obedient and most humble servant.

Fort George in New York
3rd April 1750.

(signed). G. Clinton

To His Grace the Duke of Bedford.

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XL., 163.]

My Lord.

I beg leave to return my most humble thanks for the honour Your Grace does me, by the assurancies, you give me in your letter of the 1st of Novr last of all proper assistance to support the Authority put into my hands and consequently of my being defended from any unjust or malicious attacks whatsoever.

I am in hopes, before this time Your Grace is fully apprised of the injuries I personally receive from the malice of a Faction headed by Chief Justice De Lancey and how much His Majtys service in this province suffers thereby.

The faction continues still buoyed up with the hopes given them of the interest which their head pretends to have with some of His Majesty's Ministers, and therefore it is become necessary that His Majtys pleasure be explicitly signified and that the Authors of the contempt of His Majtys Authority, which is discovered in so many instances be made sensible of the weight of His Majtys displeasure. Till this be done His Majtys loyal subjects and faithful servants in this province must be under great discouragements as it will be impracticable for me to do my duty.

Your Grace I hope will excuse any impatience I show to have relief under the difficultyes which bear hard upon me, especially when I am confident, that a proper signification of His Majtys displeasure on the daring attempts of this insolent Faction would immediately relieve me.

I have likewise the honour of Your Graces of the 7th of December last inclosing a copy of His Majtys order for the exchange of Indian prisoners the original of which is to be sent as soon as these orders shall be exchanged for similiar ones on the part of the French King. In obedience to Your Grace's commands I have sent orders to make the proper inquiry and preparations for the exchange pursuant to those orders, but I must beg leave again to repeat what I before represented by my letter of 3rd inst: that I have not one farthing of money nor can command any out of the Treasury of this Colony for defraying the expence of this service or of any other however necessary. I do myself the honour to subscribe myself with all duty and respect—My Lord—Your Grace's most obedient and most humble servant

New York 9th April 1750.

(signed) G Clinton

His Grace the Duke of Bedford.

Governor Clinton to Colonel Johnson.

[New-York Papers, (S. P. O.,) XI., 164.]

(Copy).

Fort George 4th April 1750.

Sir.

Yesterday I had a Council, which was the first since I received your letters of the 6th and 22nd January and of February, which I laid before that board, the result of which was, what you will see in mine of 5th inst: I also proposed to them your requests relating to the extraordinary expences and detriments you must inevitably meet with in transacting the Indian affairs as likewise about the Smiths wanted, and the pay due to those that had been among the Indians, but could procure no answer upon those heads, it being a point (as I suppose they think) not properly within their cognizance, but rather the Assembly's, and though I can assure you Sir, I have nothing more at heart, than your welfare, and more particularly so, as I am sensible that your demands on the province are with the strictest justice due to you, as by those the Indians have been kept from deviating from their Fidelity and alliance to us; yet Sir as it is impossible for me to meet the Assembly (till matters are come to a determination at home with the Ministry, relating to my future behaviour towards them, which I have wrote word I could not, before I had received their instructions) I can not possibly give you any positive answer to what you desire of me, until I do meet them, when you may depend I shall leave no endevours or methods untaken, to shew you my grateful acknowledgement of your services to His Majesty and the security of this province.

I desire you will be very particular, in relating to the Indians the inclosed order of His Majty for exchanging of Indian prisoners on both sides, that they may see the kind care & concern His Majty has for them even as a father for His own Children, and that he does and always will esteem them as such. Tho' this order was sent to me from the Secretary of State, yet it can not be put in execution, till the counterpart from the King of France to the Governour of Canada arrives which is daily expected, and will be sent me by the very first opportunity, as soon as I receive it, you shall hear further.

I shall write to the Governr of Virginia to desire him to send some of the Sachims from his Governt, to meet those of the Mohawks at Albany in order to cement a piece between them and the Catawbas, if the Mohawks can be prevailed upon to meet them, and at the same time inform him of the contents of His Majty's order for exchanging of Indian prisoners, if he has any of the French Indians, taken in the late war in this Government.

I am

Sir

Your very humble servant

G. Clinton

To Coll: Johnson

Governor Clinton to Colonel Johnson.

[New-York Papers, (S. P. O.,) XI., 165.]

(Copy).

Fort George 5th April 1750.

Sir.

I have received Your letter of 22d of January last, wherein you mention, that most of the Indians of both Mohawk Castles are determined to go to war with the Catawbas, and are to be joined by great numbers of their Bretheren, as also by several other nations.

The Catawbas I suppose to be one of the Southern nations of Indians, who together with the other nations to the westward and southward as far as the River Missisipi, were by the Treaty in the year 1740. received into the Covenant chain with us, and the six nations, and although the six nations seemed at first to insist that some of the Sachims of those Southern Indians should come to Albany, yet they gave up that point and concluded a firm peace with them, as appears by an extract of this treaty enclosed, which I would have you represent to them in the strongest light, and that nothing can be a greater violation of that Treaty, than their now going to war with the Catawbas, who since this Treaty, have looked upon themselves and still do, as friends to the six nations, and in conjunction with the other Southern Indians united in one common alliance.

If you find nothing will restrain them from this war, but that some of the Southern Sachims comeing to Albany, to desire a peace of the six nations; I would have you propose it to them, and let them know, that I will write to the Govr of Virginia in order to prevail on those nations to send some of their Sachims thither, as soon as conveniently they can, & that in the mean time, the warriors of the Six nations be kept at home, and not suffered to go a fighting against the Catawbas or any other Southern Indians. I am

Sir

Your very humble servant,

To Coll. Johnson,

G. Clinton

Secretary Hill to Governor Clinton.

[New-York Entries, B. N., p. 21.]

To the Honble George Clinton Esqre Gov: of N. Y.

Sir.

My Lords Commissrs for Trade and Plantations having received his Majtys Commands to prepare Instructions for the Commissarys, nominated to treat with those of France, upon the several points in dispute betweext the two Crowns in America, I am directed by their Lordpps to desire, you will prepare with all possible dispatch, the most exact account you can of the limits and boundaries of the province under your Governt; and as their Lordpps are informed there are amongst the Records of New York, particularly in the Secretary's Office, several authentick papers, as well with regard to the limits of New York, as to those of His Majtys

other Govern^{ts}, they desire you will cause the most diligent and exact search to be made, and transmit copies of all such papers relative to that point, as can be found with all possible dispatch duly authenticated and attested before a Notary publick.

And as the knowing exactly the limits and extent of the Country, belonging to the Five Nations of Indians, is of great importance, their Lord^{pps} further desire, you will inform yourself thereof, as well from any authentick Acts or Documents, which may be found upon record (which you are likewise to transmit duly authenticated) as by proper enquiries of such persons, who are best acquainted with the Country, particularly of M^{r} Henry Lyddius, who, Their Lord^{pps} have been informed has a thorough knowledge in that particular. I am,

Sir

Whitehall
Apr 13th 1750.

Your most obedient humble serv^{t}
Tho^{s} Hill.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 89.]

My Lords

Your Lordships will perceive by the inclosed Papers that the Gov^{r} of Canada, under feigned artificial pretences keeps the English and Indian Prisoners still in Canada, which I am persuaded is done with a design to lessen the esteem the five Nations of Indians have of the English Strength and Power in respect to that of the French and to weaken the influence the English have hitherto had on those Indian Nations and others in alliance with us and to withdraw their dependance on us

This proceeding of the Governors continuing to be of a piece, with what I have formerly informed your Lôrdsps by my letters of the 29th may and 24 Sept^{r} 1749 confirms my opinion of the designs of the french Governor. It appears to me to be of the greatest consequence to the British Trade, among the numerous nations on the Continent to the Westward of the English Colonies and the safety of those Colonies in case of War with France, effectually to support those nations who joined us in the late War and who (as appears by the copy of M^{r} Johnsons letter inclosed) are at this time in danger by the French exciting the Indians in alliance with them to make war on them I shall do all in my power on this occasion But as the Assembly of this Province has not granted a single farthing for any exigences whatsoever and if I be allowed to judge from what has been the Practice in former times they will not in all probability grant money for this service till after the Indians shall be actually attacked and thereby any assistance we can give them come too late

Your Lordships will observe, from the Minutes of Council, my proposal, in case the Mohawks were attacked, that they should be supported by the Militia, of the Inhabitants who are intermixed with the Mohawk Settlements, and your Lordships will perceive, that the Council seem to be of opinion, that I could not command the Militia, without the Assistance of an Act of Assembly for that purpose I was advised by some gentlemen of the Law, that as the Power of the Militia is undoubtedly in the King, every power necessary for the exercise of that Power must be likewise necessarily in the King, but as the Cheif Justice declares

himself of a different opinion without doubt the People will favor the opinion which increases their own power and therefore I thought it not proper to subject His Majestys Authority to such kind of dispute at this time However as the Power of the Militia in the Plantations may be of the last consequence in the Plantations it must require your Lordships attention

Mr Hamilton in his letter to me, thinks the Indian Nations on the River Ohio so much attached to the British Interests, that he seems not apprehensive of the designs of the French, but I think by our situation and the Correspondence the five Nations have with the distant Nations I can be better informed than he can be and certainly the French will keep their designs against them as much a secret from those nations as they can

I must intreat your Lordships serious consideration on this affair, and that such application be made to the Court of France, as shall be thought proper in order to restrain the Governor in these attempts inconsistent with the Amity so lately established between the Crowns of Great Britain and France.

I have communicated the Intelligence I have, to the Governors of Pensylvania & Virginia, because the Indians on the River Ohio, who seem to be in most immediate danger, are by their situation nearest to those Provinces and trade immediately with them

I have received His Mâtys orders for the Exchange of Prisoners, which I shall carry into execution with all convenient Speed and Prudence I can

I am with the greatest Respect
My Lords
Your Ldps mo humble
and most obedient Servt
(sgd) G Clinton.

Fort George New York
7th June 1750

P. S I have just received several Affidavits from Albany to contradict that part of Monsieur Jonqueres letter in relation to the French Interpreter & the French Indian

G. C

Marquis de la Jonquière to Lieutenant Governor Phips.

[New-York Papers, Hh., No. 92.]

[TRANSLATED FROM THE FRENCH.]

Quebec, 7 March, 1750.

Sir,

Since I have entered into possession of the general government which the King, my master, has conferred on me, I have felt a real desire to procure full freedom for all your prisoners who are confined here. My sentiments have reached your Excellency, to whom I have had the honor of writing several letters, as well as to Mr Clinton, Governor of New York. I had every reason to hope that this anxiety on my part would greatly contribute to excite you to do all in your power to procure the same advantage for the subjects belonging to my government, for the French who are detained among the Mohawks, and the 26 Abenakis who are on an Island in the vicinity of Boston. Nevertheless, I am grieved to see an affair of this importance drag

along without being able to penetrate the motive; I perceive no difficulty the moment your Excellency will be pleased to act with the same zeal that animates me, and of which I have not ceased to give you evidence; I am even persuaded, Sir, that if my letter of the 28th Septr last, by M. Launiere, had reached you, you would have been so good as to facilitate the search for those 26 Abenakis, of whom I sent you the list, and had M. Clinton united with me, as I had requested of him to do, I am certain that, what with his efforts and yours, the respective prisoners of the two governments without distinction would be in the enjoyment, at this moment, of the sweets of peace which formed the main object of both crowns in their treaty.

I could not, Sir, dissemble from you the very sincere sympathy I feel for the lot these poor people have the misfortune to undergo, and for which I should have to blame myself, had I contributed thereto. M. Clinton, I am forced to avow, is the sole cause of it, for had he permitted M. Launiere, the interpreter to those Abenakis, to execute my orders, that nation would be as quiet as it is now infuriated, and which they will continue to be until positively informed of the fate of their brethren. This reason, conjoined to the desire I feel for the preservation of peace and good understanding, induces me to have the honor to send to you as a deputation, M. de Beau bassin, an officer of the troops of this colony, with an Abenaki Indian, to whom I have given orders to make, with your permission, all the search and inquiries imaginable to effect the discovery of those Indians; and as I should be very glad that it would be the last of all my proceedings, and would prove more successful than the previous ones, I beg to communicate to you, Sir, the answer which M. Clinton returned to me on the 28th 8ber last; this is the more necessary, that you may perceive what good grounds I have to complain, and to make use of every means to recover those Abenakis.

Mr. Clinton, who never spoke to me of those Abenakis, observes to me:

1. That their chiefs have imposed on me, and to prove it, annexes to his letter that which Colonel Wendell, of Boston, wrote him.

2. That the interpreter, M. Launier, with the Indian who was accompanying him, satisfied with the reading of that letter, had considered that he could dispense with going to Boston to deliver you my letter agreeably to the order I had given him to that effect. I would have greatly desired that Mr. Clinton's answer had had the desired effect, but I observe, on the contrary, that the Abenakis are firmly resolved to do all in their power to recover their brethren, who they persist in maintaining with much firmness, are detained on an island in the vicinity of Boston. Here is the proof: First, Mr. de Wendall admits in the letter that, at the beginning of the war, those 26 Abenakis were in a fort of New England and solicited to live among the English, and that when war was declared, the Indians were taken to Boston; that the Indians were to have been sent to Casco bay, to assist at the treaty of peace which was to have been concluded there last spring between the Eastern Indians and the English, and that they would be at liberty to depart whenever they pleased, or to return to New England. But Mr. Wendall does not say positively that these Indians had really gone to Casco, still less that they went home, nor even what had become of them.

In the second place, the Abenakis to whom I have communicated this letter, have made several observations to me.

First. That it is false that their brethren went into the English fort with the intention of taking refuge there; that they were invited to go there to trade, and that in violation of their confidence, they were carried by force to Boston. They take this violence much to heart.

Secondly. That they are informed by all their chiefs who assisted at the treaty of Casco, that their brethren were not present at it, and even that their names were not mentioned. This fact has just again been certified to me by a Malacite chief.

Thirdly. That they have little doubt of those Abenakis being in your government, inasmuch as two Indians, who have lately left your prisons and the master gunner of the ship *le Vigilant*, have affirmed to them that they know for certain that said Abenakis continue to be detained in the neighborhood of Boston. Several Frenchmen, worthy of credit, have told me the same thing.

In the third place, what irritates the Abenakis most, is the report which their brother (who accompanied M. Launière to New York) made to them of the bad treatment they had experienced, and Mr. Clinton's obstinacy in not permitting them to proceed to Boston.

I did not expect such a refusal, and would be gratified had Mr. Clinton, so far from preventing the execution of my orders, added his authority thereto; particularly as they tended to the common good of the subjects of New France, and as I evinced all the regard, attention and politeness possible for the officers and other persons who have come into my government provided with one of his passports. But according to the account which M. Launière has rendered me, whatever exertions he made, and notwithstanding he was willing to defray the expenses of his voyage to Boston, Mr. Clinton constantly opposed it. What is still worse, M. de Launière having by orders of Mr. Clinton embarked with his Indian on board a sloop for Orange, the sailors ill-treated that Indian, without the master of the vessel deigning in the least to prevent it, which obliged the Indian to fly across the forest. His journey was accompanied by great suffering, and he was not found without a great deal of trouble.

Such a proceeding is not to be tolerated. I doubt not but as soon as I have informed Mr. Clinton of it, he will have punishment inflicted on those sailors, or rather on the master of the sloop, for not having controlled his crew. This punishment is of very great consequence, inasmuch as the Abenaki nation may avenge the insult offered to their brother, and it is my duty to tell you, that when the Indian was near his village, he chanted the war song, and having informed the Chief of his adventure, they held a council and deliberated on detaching a party of their young men to go and stab a Commissary and several Englishmen who are at the Great Carrying place. This I fortunately prevented, by making use of the whole of my authority.

Captain Benjamin Stoddart, whom Mr. Clinton has sent to me for the exchange of prisoners, arrived in town days ago. I had a long conference with him yesterday, from which he must perceive how charmed I would have been to conclude that exchange. He will report to you the reasons that prevented my doing so; they are the same which I have the honor to submit to you. He has been a witness of the representations which the Malacite made me, and of what M. Launièr told me respecting Mr. Clinton's refusal. I have given orders that the deputy be furnished with all the comforts he can wish for in my government, and on my part I will show him all the politeness I owe to officers who represent Your Excellency. He has permission to see your prisoners, both English and Indians; my deputies could not obtain the same facility. I flatter myself that Mr. Clinton will afford it to M. de Beaubassin whom I have expressly ordered to visit them as often as he will be able. I write on this subject to Mr. Clinton and my letter will not be delivered to him by M. de Beaubassin until he will have had the honor of accomplishing his mission to Your Excellency.

All the facts I have just had the honor to detail to you, must convince you of the impossibility I labor under of doing anything to affect the opposition of the Abenakis. You will not fail to deem it just, and I am certain that you will put everything in operation to enable me to afford them the satisfaction which is their due.

It is in this confidence that I dispatch M. de Beaubassin with an Abenaki Chief. I have the honor to request you, Sir, to be pleased to afford him all the facilities necessary for his succeeding to discover those Abenakis, according as I have prescribed to him. I doubt not but he will be successful in finding them; he will accompany their Chief so that he may be able to speak to them in whatever part of your government they may be. Those Indians will take such course as they please, being free and independent, and it will be sufficient for me to have carried out the views of the Abenakis, who from all time have been very loyal to the French Nation. Therefore, Sir, should these Indians request to go home, you will have the goodness to permit them to do so, and it will be sufficient that one of them return with M. de Beaubassin to report to the Nation that his Brethren have recovered their liberty, or preferred to remain in your government. Mr. Clinton will be able at the same time to forward all my Frenchmen who may be in New England and those who are actually in the hands of the Mohawks. At the Great Carrying place M. de Beaubassin will depart with all diligence to inform me of this and of the place agreed upon to conclude said exchange, and I will immediately dispatch all your prisoners in general in order that they may repair with all speed to the place of rendezvous.

For the rest, Sir, I must not conceal from Your Excellency my great surprise, that a party of English Traders are scattering themselves all over the territory belonging to my government, who distribute their goods at a low price in all the Indian Villages of the Upper Country within the limits of the King of France. This so seriously injures the trade of this Colony that I cannot avoid reporting the matter to the King my Master. It is not very difficult to devine the views which the English entertained in anticipating all the wants of the Indians. It is, I shall be answered, to attract them to themselves, and that is not forbidden, since the Nations are not dependent on any Crown. But all the world knows, that the King of France is Master of his territory as much as the King of England is over his, and that consequently I would be wholly justified in expelling those who will take it into their heads to establish a trade there contrary to the King's Interest, and in confiscating their goods. Eh! ought I not to do it unhesitatingly, since, independent of motives of interest, the English are endeavoring to debauch the Indians and inspire them with feelings of hatred towards the French.

You will be astonished to hear that I have reason to complain. I have the proof in my possession of what I advance, and in order to support it, feel no difficulty in transmitting annexed hereunto, copy of the message the English of Chouaguen[1] have sent among all the Nations. The English taking advantage of the abundance they cause, do not hesitate to tell those Indians above board, and exhort them warmly to make use of the Tomahawk which I gave them, against me and my French; they accompany these messages with Belts of Wampum painted red, the Calumet, English Flags, &c. The whole has been sent to me. I showed it to Mr. Stoddart, and cannot think without shuddering that malignity has been pushed to the length of meditating the destruction of the French.

You will easily perceive, Sir, that I cannot hide my resentment from you; it is not so profound as you will suppose, perhaps. Well, so far from wishing to give it vent, I, on the

[1] Oswego. — Ed.

contrary, reiterate to you the assurances of my desire to entertain the most perfect understanding with you, and the subjects of your government; that so far from injuring them, I would afford them, in all cases, any assistance that would depend on me.

But as all the attempts which are unadvisedly made to induce the Indians to destroy the French, might occasion some untoward event, and as, besides, it would be unfortunate were I obliged to have recourse to reprisals, it is essential that Your Excellency punish severely the authors of said messages, and forbid by law, under heavy penalties, all Englishmen belonging to your government, going on the territories of the King of France, to trade with the English residing there. On my side, I would issue a similar ordinance against any of the subjects of my government going to trade on your territory, and have it published in every one of my posts and settlements.

I see no means more sure to maintain us in the tranquillity we must wish for. You will confer great pleasure on me by sending me copy of the law you will issue to that effect.

This, Sir, is a very long letter. I could not dwell too fully on matters of such very great importance.

The inventory of the papers of the Treasurer of this Colony not being made out, I cannot attend to the arrangement of the accounts of the expense which has been incurred for the respective prisoners.

I have the honor to be with as much Esteem as Respect,
Sir,
Your most humble and
Most obedient Servant,
(Signed) La jonquiere.

A true copy, compared by me
Peter De Joncourt, Interpreter.

Governor Clinton to the Marqnis de la Jonquière.

[New-York Papers, Hh., No. 93.]

Fort George in New York
7th June 1750

Sir

I was exceedingly surprized with your letter to the Governor of Massachusetts Bay a copy of which has been transmitted to me. Wherein I am charged with having stopped your Messenger, and an Indian which you sent with him, in their way to Boston, and in sending them back without permitting them to pursue your orders. I think some thing more was due to the assurances I gave you, that your Messenger, and the Indian who came with him, were fully satisfied with the account Coll Wendall gave them of the 26 Indians which you thought were detained prisoners in Boston. They not only declared so to me as I wrote to you (the Interpreter Launier and the Indian being seperately asked) but likewise desired to return to Canada immediately, as the season of the year was so far advanced, that they were afraid of

being stopt by the Ice. Of this I now send you an authentick proof on the oath of Mr Pavy, a Lieutenant of the Kings Troops who spoke to them by my directions and in my presence and who received their answers and reported them to me. I had a few days before this happened, and as soon as it was in my power engaged a vessel to carry them by water to Rhode Island from thence they had a short way by Land to Boston which was both the speediest and easiest way they could take from hence to Boston and had agreeable to your Excellencys desire wrote the enclosed to Govr Phipps and they would have gone accordingly if Coll Wendall had not in that time come to this Place, and if they had not both of them declared that they were satisfied with the account they had from him, and that they were desirous to return home immediatly Your Excellency will likewise perceive from the Affidavits of the persons on board the Sloop which carried them from this place to Albany, how injuriously and falsely the Interpreter Launiere and the Indian have represented the good usage they have received on Board that Sloop. I have such reason to complain of Launieres falsehood in this case by which he has abused your confidence in him that I must demand that he be punished for the same as such like practises if not discouraged must tend to a Breach of the Amity establised between the British and French Nations

It must likewise give me some dissatisfaction, that you have chosen Mr Beaubassin to carry your despatches across the Frontier country from Albany to Boston, A person well known to have headed the Indian parties, which committed the most cruel barbarities, in the last War on innocent poor people, living peaceably in their own houses. The sight of such a person must raise violent emotions in the breasts of those persons who have lost their dearest relations in such a barbarous manner: And tho I have hitherto suppressed the resentment of the Christians, I dare not take upon me to answer for the event, should he go among the Mohawk Indians and therefore as it is my duty to guard against every thing that may occasion a breach of that Amity, between the subjects of Great Britain and France which I am desirous to cultivate, I can not permit him to go among the Indians tho' he should be fool hard enough to attempt it

I am sorry that I must complain of your giving me so much ground to suspect that your intentions with Respect to a speedy delivery of the Prisoners on both sides, are not such as I understood them to be, and not correspondant to the sincere desire I had, that the subjects of both Nations should in every respect (as far as in my power) enjoy the sweets of Peace

However your Excellency may have been misled by the falsehood told you by Launiere I hope you will effectually remove any jealousies which those Incidents must naturally raise by making the Exchange of all the Prisoners of this Governmt who are in yours, both English and Indians, with the French Prisoners in this Governmt at the South end of Lake Sacrament according to the Agreement entered into with Mr Saunders last year. As soon as I shall know the time at which you shall be ready to deliver the English and Indian Prisoners at that place, the Prisoners in this Government shall be ready to be delivered up at the same time and place.

I am with very great esteem and regard
Your Excellencys mo humble
& obedient Servant
sgd GEO: CLINTON

Governor Hamilton to Governor Clinton.

[New-York Papers, Hh., No. 95.]

Philadelphia 31st May 1750

Sir

I forbore answering your Excellencys letter, relating to Indian Affairs by the last post in expectation of being able to give some fresher Intelligence than possibly you might have received, touching the State of affairs among the Indians at Ohio I am now to acquaint you that since that time, I have two accounts from thence, by persons who left it on the 8th & 15th of this month both agreeing in substance, That there were among them reports of hostile preparations carrying on in Canada against them and the six Nations, but that the matter was much doubted by the Indians, some giving credit to it, and others not beleiving a word of the story; That however all the Indians are in a fighting posture, fearing the worst and will keep themselves so: And upon the first intelligence of the French coming into their parts, they will go out from their towns in a body, and by parties harrass or fight them in their march. And that as all the Indians there are hearty very numerous and agreeing well together, it is thought that this summer will not produce any disturbance

I am very sensible tis of great importance to the British Interest in general, to cherrish and protect the Indians in our Alliance but particularly to these two Provinces, which reap such considerable benefits from their Trade, and for that reason I shall ever be ready to afford them all the Assistance in my power, when regularly demanded, but considering that they are as strictly united with this Government as with any other on the Continent, and that we have on all occasions acted as friendly a part by them, it is natural to think that had they apprehended such imminent danger as is set forth in Coll Johnsons lettre they would as freely have applyed to this Government for Assistance, as to that of New York and by Messengers who were known to be of consequence with them, nothing of which kind having been done, I can not venture to put the Province to a considerable expence, without receiving some stronger evidence of the necessity of it, than Coll Johnsons letter to the Governor of an other Province, Neither indeed do I think the people under my care, would have reason to be pleased with such a conduct. I shall therefore wait some time in expectation of hearing from them on this subject, and when ever they require it in a proper manner shall most willingly assist them to the extent of my power.

One of the Traders who left Ohio on the 15th Instant, tells me, that before he came away he heard a message from you delivered to them by one of the six Nations with which they were extreemly pleased

I expect shortly a further account of these matters from my Secretary, who has been now three weeks in the Woods in company with some Indians of the Six Nations, and if I find it worthy of your notice shall not fail to acquaint you with it as soon as possible—

I am with all imaginable Regard Sir

Your Excellencys most humble

and obedient Servant

His Excellency Govr Clinton

sgd James Hamilton

Affidavits of John H. and Geneviève Lydius.

[Plantations General Papers, XIV., (O.) No. 46.]

City of Albany, ss. John Henry Lydius of the said City Esq^{r} being duely sworn upon the Holy Evangelists of Almighty God maketh oath that he hath frequently heard both from the Mohawk & Caknawage Indians & that for about these twenty five years past that the Land Northward of Saraghtoga as far as the Rock Rogeo did & does belong to the Mohawks which Rock is scituated on the Lake Champlain about ten leagues North from Crown Point, neither hath he ever heard of any other Rock called by the Indians Rogeo, Rogeo being a Mohawk word & the name of a Mohawk Indian who was drown'd as the Indians say in the Lake Champlain near that Rock long before the Christians came amongst them from whence the Mohawks call both the Rock and the Lake Rogeo. And this Deponent saith that he knows that the Lake Champlain is called by the French Mer des Iroquois as well as Lac Champlain, and this Deponent further saith that he himself hath long had a Conveyance from the Mohawks for Land five Leagues North from Crown Point which the said Mohawks did covenant with him to be their sole, lawfull & proper right. And he this Deponent hath always heard that the purchase made by Godfrey Dellius in the year 1696 was commonly esteemed to extend to the Rock Rogeo; And he this Deponent haveing frequently enquired of the five Nations of Indians how far their right of hunting extended hath allwayse heard them claim & assert that they the Indians of the five Nations had a right not only to the land on the South side of Cadarokoui River but also to the Land between Cadarokoui & the branch of St. Lawrence River called Le Grand Rivier. And whilst this Deponent lived in Canada he hath heard some of the French people themselves own that the lands on the South side of St. Lawrence River belonged to the English; And this Deponent further saith that he well knows that the Northern branch of Hudson's River extends at least twenty leagues further North than Crown Point running thro' the Peninsula that divides Cadarokoui & Lake Champlain, he this Deponent having been that far up the said branch of the said River.

And this Deponent further saith that at the time that M^{r} De Lachassagne Governor of the three Rivers was sent from Canada to treat with His Excellency William Burnet then Governor of New York against the English building a Fort at Oswego, he, this Deponent, being in Canada did at their Return hear Mons^{r} Demuseaux (one of the Gentlemen that had accompanied Mons^{r} De Lachassagne) say that Governor Burnet had convinced them that the Land of the South side of St. Lawrence River of right did belong to the English.

JOHN H. LYDIUS.

Sworn before me Jacob C. Ten Eyck Esq^{r} Mayor of the City of Albany in the Province of New York this fifth day of April 1750 In testimony whereof I have hereunto set my hand & Caused the Seal of the Said City to be hereunto Affixed.

JACOB. C. TEN EYCK mayor.

City of Albany ss.

M^{rs} Genevieve Massé wife of John H. Lydius of the City of Albany Esq^{r} born in Canada & an Inhabitant there 'till she was the age of twenty seven Years being duely sworn upon the Holy Evangelists of Almighty God maketh Oath that while she lived in Canada she frequently heard that the English claimed the Lands on the South side of St. Lawrence River as far

Northward as the River & that she this Deponent hath heard several of the French people in Canada own that the English Right did extend so far. And this Deponent further saith that the Settlements on the North side of St. Lawrence River were established long before there were any Settlements made on the South side of it.

GENEVIEVE MASSÉ LYDIUS

Sworn before me Jacob C. Ten Eyck Esq^{r} Mayor of the s^{d} City of Albany in the Province of New York this fifth day of April 1750. In testimony whereof I have hereunto set my hand & caused the seal of the s^{d} City to be hereunto affixed.

JACOB C. TEN EYCK, Mayor.

Governor Clinton to the Duke of Bedford.

[New York Papers (S. P. O.) XI., 166.]

My Lord Duke.

Your Grace will perceive by the inclosed Papers, that the Gov^{r} of Canada, under feigned artificial pretences, keeps the English and Indian prisoners still in Canada; which I am persuaded is done, with design to lessen the esteem the Five nations of Indians have of the English strength and power, in respect to that of the French, to weaken the influence the English have hitherto had on those Indian nations, and others in alliance with us, and to withdraw their dependance on us—

This proceeding of the Gov^{r} continuing to be of a Piece, with what I formerly informed Your Grace by my letters of 29th May and 24th Sept^{r} 1749. confirms my opinion of the designs of the French Governour. It appears to me to be of the greatest consequence to the British trade, among the numerous nations on the Continent, to the Westward of the English Colonies, and the safety of these Colonies, in case of war with France, effectually to support those nations, who joined us in the late war, and who (as appears by the copy of M^{r} Johnson's letter inclosed) are at this time in danger, by the French exciteing the Indians, in alliance with them, to make war on them. I shall do all in my power on this occasion, but as the Assembly of this province has not granted a single farthing for any exigency whatsoever, and if I be allowed to judge from what has been the practice in former times, they will not in all probability grant money for this service, till after the Indians shall be actually attacked, and thereby, any assistance we can give them come too late—

I must intreat Your Graces serious consideration of this affair, and that such application may be made to the Court of France, as shall be thought proper, in order to restrain the French Gov^{r} in these attempts, inconsistent with the Amity so lately established between the Crowns of Great Britain & France.

I have communicated the intelligence I have, to the Governours, of Pensylvania and Virginia, because the Indians on the River Ohio, who seem to be most in immediate danger, are by their situation nearest to those Provinces, and trade immediately with them.

I have received His Majᵗʸ's orders for the exchange of prisoners, which I shall carry into execution, with all the convenient speed and prudence I can. I am with the greatest respect

My Lord Duke.

Your Grace's most humble
and most obedient servant
(signed). G. Clinton.

Fort George in New York
7th June 1750.

To His Grace the Duke of Bedford.

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.) XL., 177.]

My Lord

As a late unhappy accident has occasioned a great deal of discourse, I beg leave to acquaint Your Grace how I take it to be. The Grayhound Man of War firing at a vessel with an intention of bringing her too, she having a Birdgee Flag hoisted, a shot struck a young woman in the vessel, so that she expired a few hours afterwards. This vessel it seems, belongs to one Coll: Rickitts of the Jerseys, a hot headed rash young man, and I am informed declared before he put off from our wharf, that he would wear that pendant in defiance of the man-of-war, which in all probability did come to the Lieutᵗˢ ear, that commanded on board, who had excused him, but the day before, passing close to the ship with the same pendant, as knowing it to be Coll: Rickitt's vessel, and the Chief Justice has issued his warrant for apprehending him; tho' His Majᵗʸˢ pleasure with respect to the tryal of offences committed aboard His Majᵗʸˢ ships of war, had not been so clearly expressed as I think it is in the inclosed clause of my commission, yet in the present case and circumstancies, I should have thought it my duty to have interposed so far as I lawfully might, that justice be impartially executed, and that the lives and reputation of persons immediately in His Majᵗʸˢ service, be not exposed to people artfully excited to tumultuous or violent proceedings, by a party or Faction, which has given so many proofs of their design to lessen His Majesty's authority, in this Province by alienating the affections of the people from those immediately employ'd under him, and I think it necessary on this occasion as I have in some others, to acquaint Your Grace that I am informed that Mr Oliver Delancey Chief Justice Delancey's brother openly and in all companyes, and among the lower rank of people distinguishes himself; However I have done nothing more than to send a copy of that Clause to the Attorney General, and likewise to order it to be printed for the satisfaction of the people, and to remove any prejudices, which they may have imbibed; and I am resolved to do nothing further, but to suffer the Judges to go on as they shall think proper, after having given them all this information that can be expected from me, shall be able to send a further account by next opportunity.

I am the Honour to be with the greatest of respect and duty—

My Lord

Your Graces most obedient and
most humble servant
(signed). G. Clinton.

New York 12. June 1750.

His Grace Duke of Bedford one of His Majesty's principal Secretarye's of Estate.

Captain Roddam to Chief Justice Delancey.

[New-York Papers, (S. P. O.) XL., 178.]

Sir.

I am as sorry for the unhappy accident by a shot from His Majtys ship the Grayhound as you or any other can be, I have ordered the Officer who commanded on board at that time to be put under an arrest, that he may be brought to a tryall, according to the Laws and discipline of His Majtys navy, but I must complaine, that the Gunner's mate (as I am informed by the purser of the Greyhound) whom I sent on shore to give evidence at the Coroners inquest, is committed to Jail by your Warrent. This may affect the discipline, on Board His Majtys ships and every officer's authority, in such a manner as You must be sensible of it; I must therefore desire, that he be immediately released, and if you or any other person, give me information of any offence that the mate has committed, he shall be brought to a tryall for the same according to the laws and rules of His Majtys navy, and for your further information I enclose a copy of a Clause in His Majtys Commission to the Governour of this province relating to offences committed on board His Majtys ships of warr — I must, Sir, begg your answer spedily to this, am

Sir

Your very humble servant

Robt Roddam

a true copy
June the 8th 1750

To the Honble James Delancey Esqr

The second letter I delivered to Justice Delancey his answer was that he could not deliver up the Gunner's mate upon a bear letter from the Captn, that the man was committed regularly and would consider whither it was proper to give him an answer or not.

Inº Lightburne

June the 9th 1750. at 8 in the evening
a true copy.

Chief Justice Delancey to Captain Roddam.

[New-York Papers, (S. P. O.) XL, 178.]

Sir.

I received Your Letter Yesterday Evng and for your Information will acquaint you that upon complaint made to me by Coll: Ricketts, that as he was sailing in his pleasure boat with his wife and family, being between Nutten Island and the great Battery his maid servant was killed by a shott fired from on Board His Majtys ship Greyhound: and your Gunner's mate having on his examination before the Coroner of this City and County confessed, that he fired the gun I thought myself obliged to sign a warrent to commit him to Jail, in doing this I am perswaded I discharged the duty of my office

I am — Sir

Your very humble servant

James Delancey.

New York 9th June 1750.
a true copy.

To Robt Roddam Esqr Captn of H. Mts Ship Greyhound.

Captain Roddam to Chief Justice Delancey.

[New-York Papers, (S. P. O.) XI., 178.]

Sir.

Although I told your servant who deliver'd me your letter dated this day that itt required no answer, yet on perusal I observe you are of opinion you have acted consistent with your duty; so far from making any doubt, that your thoughts were such I believe itt. But Sir, your warrent was issued and the Gunner's mate committed to Jail by virtue of that warrent, before I had the opportunity of informing you of the clause in His Majtys Commission to His Govern of this Province, therefore I must expect and demand that you deliver up to me the Gunners mate (who was then actually on board and in pay of His Majty's ship Greyhound) in order to his being tryed if charged with any crime committed on board His Majtys ships pursuant to the directions in the said clause in His Majtys Commission to His Governour, the articles of war and Statutes made for that purpose, for the observance of His Majty's navy—

Greyhound New York June the 9th 1750. Robt Roddam

a true copy

To the Honble James Delancey Esq:

Chief Justice Delancey to Captain Robert Roddam.

[New-York Papers. (S. P. O.) XI., 178.]

Sir.

I received Your letter of the 9th inst at night, the next day was sunday and I could not see the Coroner till yesterday's evening: The morning being foul I did not go to town till late in afternoon; Upon my sending to the Coroner he shou'd me the inquisition taken before him, by which I find Your Gunners mate is charged with the murder of Elizth Stibben committed within the city and County of New York and therefore I can not now comply with your demand to deliver up to you, your Gunner's mate, but must lett him remain to be delivered by a due course of Law. I am sorry this accident has given you so much trouble, it is like to give me more, as it is a case of great consequence and requires great consideration, it shall meet with all the attention in every circumstance of it, that the case deserves from

Sir

New York 12th June 1750. Your most humble servant

a true copy. James Delancey.

To Robt Roddam Esqre

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.) XL., 196.]

My Lord Duke.

As a small vessel with a pendant flying was passing the Greyhound, with a brisk gale of wind, the Commanding Officer on board (in the absence of the Captn) endevoured to bring her to, by firing two several shot, at some distance of time, the last of which unhappily killed a woman on board the Vessel. This made a great noise in the Town, of which the Faction endevoured to take advantage to my prejudice, as Captn Roddam, the Commander of the Greyhound, is my son in Law. A number of them met at a Tavern, where the heads of the Faction, have usually made their rendezvous, and Mr Chief Justice Delancey among them, where they stay'd the whole night, as I am informed, and I believe truly, to consult, how to make the best use of this incident for encreasing and confirming their popularity. The Coroner's inquest being met, the next day Captn Roddam at their desire, ordered several of his men on shore to give such information as should be asked of them, and to convince the people of the Town, that he had not the least inclination to screen the person, who gave the Offence, from Justice, he immediately put the Lieutnt who commanded at that time under an arrest.

The Gunner's mate was one of them who went on shore, and informed the inquest (as I am told) that the Lieutt pointed the Gun, and that he by the Lieuts order, put the match to it. On which the inquest found the Gunner's mate guilty of willful murder; The Chief Justice committed him to Gaol, for murder, but before he had seen the Coroner's inquest, as appears by his letter to Captn Roddam, of the 12th inst:—Captn Roddam being informed of it, desired by three several letters that His Gunner's mate might be delivered up to him, that he being actually in His Majtys pay and service, if charged with any offence committed on board His Majty's ship, might be tryed according to the Laws and Statutes made for that purpose. Captn Roddam inclosed in his first letter, a copy (from the Records of this province) of a clause in his Majtys Commission to the Govr of this province, whereby all offences, committed on board His Majty's ships, are exempted from the common Jurisdiction of this province, and directs in what manner they shall by tryed, notwithstanding of which the Chief Justice refused to release or deliver up the Gunner's mate.

I have done nothing further in this affair, than to order the Attorney General to be served with a copy of this clause, and that it be printed in one of the news papers, to quiet the minds of the people, who were exasperated by the clamours of the Cabal.

This is a short and true account of the facts so far as they have come to my knowledge and on which I beg leave to make the inclosed observations.—I am with the greatest respect—

My Lord Duke

Your Graces most humble and
most obedient servant
(signed). G. Clinton.

Fort George in New York 12. June 1750.

To His Grace the Duke of Bedford.

I do myself the honour of sending what has since passed, since my last between Capt[n] Roddam, Chief Justice Delancey and the Att: Gen[l]

I am with all Duty

Your Grace's most obedient

humble servant.

Fort George New York
3[rd] Aug: 1750.

(signed). G Clinton.

Governor Clinton's Observations on Chief Justice Delancey's behaviour.

[New-York Papers. (S. P. O.) XI., 197.]

(Duplicate).

Observations on the Chief Justice's behaviour, on account of a late unhappy accident, humbly submitted to Your Grace.

First. His Maj[ty's] Commission, to the Governour of this province, is constantly published on every Governour's arrival, at his taking Administr[n] upon him, and is likewise put on Record: It is the foundation of all authority in this Province, whereby the Judges ex Officio, and all other persons are obliged to take notice of it, and cannot plead ignorance of any thing contained in it.

It can not be doubted but that His Maj[ty], by his prerogative has power to declare the extent of all jurisdictions in America, to fix the limits and bounds of them. The stream of Hudson's river is the limit of Jurisdiction between New York and New Jersey. The Greyhound was riding in the stream of that river, when this accident happened, by a shot from that ship. It is true however that Coll: Montgomerie, formerly Gover[r] of this place, erected the Town of New York, into a City and County, and extended their Jurisdiction to the West side of Hudsons river opposite to the Town, which was afterwards confirmed to them by act of Assembly, but as the same clause was in Govern[r] Montgomories Commission, exempting all offences committed on board His Maj[ty's] ships, it is thought that no power of jurisdiction, granted by virtue of that Commission, can give cognizance of offences committed on the water, and on board any of His Maj[ty's] ships—

His Maj[ty's] ships of war are (as it is presumed) sent over to the Colonies, not only for their defence but likewise for the support of His Maj[ty's] Authority, in cases where their assistance may be wanted, and for the more effectual putting the laws relating to trade in execution; For which purpose the Commanders of His Maj[ty's] ships of war in the Colonies, usually have instructions; in consequence of which, it has been customary, for His Maj[ty's] ships to stop vessells, under sail, by firing, when it was thought proper, to search them on suspicion of illicit trade, neither can such trade in many cases, be otherwise prevented.

I am persuaded that not the least evidence was or can be given that the Commanding Officer on board the Greyhound or any other person on board that ship had any malice, or ill will to any person on board the vessell in which the woman was killed, but on the contrary a very great friendship and intimacy between the Gentleman to whom the vessel belonged and M[r] How

the Commanding officer then on board, as I am informed, and as to the Gunners mate, it appears from the evidence given on the Coroners inquest, that as he did not point the gun, he could not tell how near or far from that vessel it was pointed, and that he put the match to it, after he had received his superior officers command for so doing.

Since the Coroners inquest has found the Gunner's mate (under these circumstances) guilty of Willful murder, it shews the disposition of Juries in this province with respect to persons employed in His Majᵗʸˢ service, on board his ships of War, and that if they are to be subjected to the ordinary jurisdiction on shore, all military discipline and authority of the Officers on board must be dissolved.

The present Chief Justice pretends to hold his Commission, during good behaviour, and that he can not be removed but by being found guilty of misbehaviour, in due course of Law, now be pleased to suppose, he in the present case be thought guilty of misbehaviour, in open contempt of His Majᵗʸˢ Commission and prerogative, yet it seems no way probable, that a Jury of this Country, would find him guilty, much less, as he sits himself at the head of a popular Faction, in opposition to the Administration, with a design to weaken His Majᵗʸˢ Authority and to encourage those principles, which derive all orders and directions to the Militia, as well as otherwise from the representatives of the People in Assembly, as will in some measure appear from the minutes of Council of 22ⁿᵈ May last, where the advice of Council was principally directed by the opinion of the Chief Justice and Mʳ Murray, the only two Lawyers at the Council table, viz: That the King cannot execute his power of the Militia otherwise, than by some act of Assembly for putting it in execution. When such notions are instilled into the minds of the people, that the executing any power, unless it be enforced by their consent, is favouring despotick principles, and destructive of the liberty of English subjects, thereby to render His Majᵗʸˢ Officers odious to the people in the performing their duty.

In case a Chief Justice takes it in his head to extend his Jurisdictions to places, persons or offences exempted from his jurisdiction, it is not in the power of a Governour in the present situation of affairs to restrain him, without endengering the peace of the province, and of throwing all into confusion.

When these things, and some others which I have had the honour formerly to represent are considered, I am humbly of opinion that the present case will deserve Your Grace's serious attention—I am with the greatest respect

My Lord Duke

Your Graces most humble and
most obedient servant
(signed) G. Clinton.

New York 12. June 1750.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 97.]

My Lords

In March last Mʳ Colden transmitted to Governor Shirley (at his request) copies of several Deeds and other Papers, for proving the Kings right to the Lands now claimed by the French,

and as Mr Colden is thought to know the Geography of this Country, better than any other person, he likewise wrote his private Sentiments to Governor Shirley on the matters in dispute with France so far as they relate to this Province. The papers sent to Mr Shirley were exemplified under the Seal of the Province it being thought to be usual to have all papers passing between Nation & Nation to have the authority of the Chancery of the Several Nations

Mr Colden likewise sent duplicates and Triplicates of the same papers, attested by the Secretary of the Province. He likewise sent what other evidence, he could procure at Albany and particularly from Mr Lydius, which were attested by the Mayor of Albany under the Seal of that Corporation—some Copies of all which without doubt Governour Shirley has received by this time

Since I received your Lordships directions by your Secretary I have given orders to the secretary of the Province to make diligent Search, pursuant to those directions of which he has a copy I have likewise sent orders to Albany, where Mr Lydius lives to procure what information he can give, any what information any other person there can give all which papers and evidence shall be transmitted to your Lordships attested in the manner required as soon as can be done

My Lords I must beg leave to represent the great hardships I am under in the administration of Governmt That after I have so long since laid before your Lordships the attempts made in this Province by an insolent Faction, to wrest the Kings authority out of the hands of his Governour, in a manner of which I beleive no instance can be given, in this or any other of the Colonies, before this time, and of which such evident proofs are before your Lordships from the publick Acts of the Assembly of this Province, I have not been able to obtain the least answer to any of my letters or Representations on that subject whereby the Faction has been encouraged in their bold and daring attempts and his Majestys faithful Servants and subjects in this Province have been exceedingly discouraged. The Government has now been for two years without one Farthing for support thereof, which has occasioned an expence to me, that I am not able to bear, and which I hope your Lordships will not think reasonable should be laid on me, as a consequence of doing my duty in support of His Mâtys Authority

The Garrison at Oswego has been now supported above twelve months on my Credit, but that is not sufficient for continuing so great an expence any longer I am therefore under a necessity of meeting the Assembly of this Province again or withdrawing that Garrison in which we have too good reason to apprehend that the French would take possession of that place which by its situation is the key to all the Inland Trade among many distant Nations and on the possession of which the Fidelity of the five Nations of Indians entirely depends

It has at all times been usual for the Governor of New York to meet the five Nations and other Indian Nations on the conclusion of a Peace to notify the Peace to them, to thank them for their assistance and to give them considerable presents on that occasion; The former Assembly has not provided for this necessary expence, and which was always done by former Assemblys, thereby the Indians may have reason to suspect themselves to be neglected by us, and ungratefully used, while the French are using their utmost endeavours to withdraw their affections from us, and this likewise makes it absolutely necessary to meet the Assembly without further delay

All the friends to the Government were unanimously of opinion that I could not meet the late Assembly without prostituting the honor of Government and with any hopes of having

any thing effectually done for His Majestys service: I have therefore dissolved that Assembly and issued writs for the Election of a New Assembly to meet the fourth of September next

Had any thing been done which I desired in support of His Mâtys Authority and for encouragement of those who remained faithful. I make no doubt but that every man of the Faction would have been left out of this Election, but as it is I am persuaded that it will be made appear by the elections at this time, that the Sentiments of the People are very different from what the head of the Faction (by his freinds in England) represents them to be, and that by the opposition that will be made to the Reelection in every place where the leading men of the Faction were formerly chosen and this notwithstanding that I am inform'd that Cheif Justice De Lancey is gone into the country, since the Writts issued personally to influence the People in their elections of which I expect that I shall be enable to give your Lordships authentick Proofs

I have been informed that your Lordships were of Opinion, on the Representation, I formerly sent you in order to have M^{r} Alexander restored to his Seat in the Council, that it would be for his Matys service to have that gentleman restored accordingly, but I am very much concern^{d} not to find by any accounts I have receiv'd that he is as yet restored, but I have since received [word] that M^{r} Holland and M^{r} Johnson are recommended by your Lordships to be of the Council, without any thing in favour of M^{r} Alexander. As he has one of the best estates in the Country has been long conversant in publick Affairs and is one of the most skillful Lawyers among us, no man could be of more use to His Matys Service and nothing could have a greater influence on the publick affairs, towards suppressing the Faction; Your Lordships I hope from a very little Reflection on the artifices which have been used to prevent this being done will easily see what pains are taken to distress me and by whom these pains are taken How hard must any Governors case be who can not obtain any material thing in support of his Authority, and which may gain him that influence which is necessary and without which it is impossible for him to do his duty

I shall trouble your Lps no farther at this time, than to add that it will be not only of the greatest use to me but likewise to His Mâtys Service in this Province to know speedily your Lps Sentiments on the matters to this Government formerly laid before you

I am with great Respect

My Lords Y^{r} Lp^{s} mo ob^{t} Serv^{t}

Fort George 30 July 1750. (sg^{d}) Geo Clinton

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.) XI., 186.]

My Lord Duke

The exchange of prisoners, between this province and Canada, has been made in obedience to His Maj^{tys} orders: We have received twenty four from Canada, and they thirteen from us: But there is this difference, that we have sent back all the prisoners, that were in the hands of our Indians, and they have persuaded 13. of ours to change their Religion, and to declare that

they are not willing to return, and others not returned by their being (as they say) at to great a distance among their Indians, to be restored at this time, but with a promise that it shall be done as soon as possible — I have done all that is in my power to make the exchange compleat on both sides, but I must observe to Yonr Grace, as I formerly did, & which is confirmed by a copy of a letter enclosed, which I received from Gov^{r} Glenn, that the French are doing every thing in their power, to weaken the British interest among the Indians, by inciting them to make war on each other, and by all other means imaginable.

The Officer whom I sent to Canada, for the exchange of prisoners, and who resided there sometime, informs me, that the French are augmenting their regular troops, from 30 men in a company to 50, and that four new companies are to be added to them, one of the Grenadiers & another of Bombardiers.—That they have launched a 64. gun ship, and are setting another on the stocks of the same force. I intend to inclose what further information he can give of the present state of Canada.

The Assembly of this province has not given one farthing for the Indian affairs, or for preserving their fidelity, as has been usual; nor for a year past they have provided for the subsistance of the Garrison at Oswego, without which I shall be under a necessity of withdrawing the Garrison from that place, which is the key for the Commerce between the Colonies and inland nations of Indians, and with the great inland Lakes, & without which the fidelity of the Indians can not be preserved, for if that Garrison should be withdrawn, the French, without doubt, would take possession of the place.—These things together with the Govern^{ts} being without one Farthing for support thereof for two years past, have laid me under a necessity of calling a new Assembly—I had delayed doing of this, as long as it was possible for me to do it without manifest danger to His Maj$^{ty's}$ service, in hopes to have obtained (:before this time) such instructions on the matters, which have been represented for some years past, as also lately necessary to be done, to restore His Maj$^{ty's}$ authority from the usurpations of a violent and insolent faction.

I have still some hopes that I may receive instructions for this purpose before the 4th of Sept^{r} next, the day on which the Assembly is to meet.

Your Grace must perceive, that my not being able to obtain any kind of answer or directions on my repeated sollicitations, for so long a time, must be of the greatest prejudice to my Administration. It must discourage, all the friends of the Gov^{nt} and encourage its Enemies. It is such a hardship as I believe no instance can be given of that, any Governour before me has suffered.

I know that my Enemies lay the greatest stress on their representation of the dissatisfaction, the People in General of this Province have to my Administration, but I have reason to hope that notwithstanding of all these discouragements, which I am under, the new Election, by the opposition that will be made to the Delanceys interest, will sufficiently discover that the sentiments of the people are very different from what the Chief Justice's friends in England endevour to represent, and I can add, that if any one material thing had been done, which I desired for the encouragement of the Govern^{t} & for supporting any authority and giving it its due influence, I am persuaded that every one of the heads of the faction would have failed in the new Election; they already beginning to break among themselves; as things now stand I shall endevour to behave with the greatest prudence I can for His Maj$^{ty's}$ service,

under the present circumstances of this Govern[t] and so as to have just grounds to hope for His Maj[ty's] approbation—

I have the honour to be with the greatest respect
My Lord
Your Grace's most obedient
and most humble servant
(signed). G. CLINTON.

Fort George 30[th] July 1750.

To His Grace the Duke of Bedford.

Captain Stoddert to Governor Clinton.

[New-York Papers, (8 P. O.) XI, 189.]

Sir.

In obedience to Your Excell[cys] commands I shall give as particular accounts as I possibly can of the strength fortifications ettc of the different places I was in, in Canada, and as Quebec is the metropolis, shall first begin with it.

This town stands upon near as much ground as the City of New York, but does not contain above half the number of houses at most. It is situated on the west side of the River S[t] Lawrence, where a small river to the Westward called by the French la petit Riviere (and emptying itself into the River S[t] Lawrence) forms a point on which the Town is built, and is almost in form a triangle; it is divided into two parts, one called the upper and the other the lower town, the last lies on the River side and has two batteries of eight pieces of Cannon each, tho' of little consequence in case of an attack. In this part of the Town the streets are regular, and the houses well built; and are chiefly of Stone; from that part of the lower town, next the River S[t] Lawrence, there is but one way to ascend to the upper, which is cut shelving along the hill or rather Rock, and is about one hundred and twenty feet in height, and overlooks all the lower town; it is certainly one of the strongest natural fortifications in America; being almost perpendicular (and as I said before an entire rock).

On the top of this Hill stands that part called the upper town from whence there is a beautiful and extensive prospect, of the rivers and Country about a several leagues. Here are several good buildings of stone (to wit) the Siminary and convents of Fryers of the order of S[t] Francis, two Nunneries, part of one of which buildings is the King's hospital for sick and wounded, seven churches beautifully ornamented and very rich, and that called the Cathedral is much larger than the English Church of this City, but the most magnificent of any, and which deserved to be first mentioned is the College of Jesuits. On the back or South part of the Town they are building a strong Stone wall of a considerable height and thickness; which extends from the River S[t] Lawrence to the Petit Riviere, they having no occasion to carry it any further as nature has fortified that part of the Town next to the two rivers, much stronger then can be done by art as before observed. On this Hill or upper Town are four batteries, the first of which is the Grand Battery, situated on that part which forms the point between the two rivers, and looks directly down the River S[t] Lawrence, it has forty three pieces of Cannon,

four, six, and nine pounders & two mortar pieces of fourteen inches diameter each, it has no peripet or Breast work to cover the guns, nor do I think there is any occasion for them, as the hill is of such a prodigious height and any access to it so difficult. To the westward of this battery at about one hundred yards distance, is another small one, of four pieces of Cannon, two of nine and two of eighteen pounders. About sixty yards further west is another of the same sort. The use of these small Batteries seem to me, designed to command the other side of the petite Riviere, in case any forces should land below the Town and take that rout to get to the back part. It is plain they can not command any part of the Rivers, where ships or vessels of any burthen can pass, neither can they do much damage to forces that should land and march that way, the opposite side of petit Riviere being a fine low Country, where the Troops might pass far enough out of reach of those Cannon. The last of the four Batteries, is to the Southward of the Grand Battery about two hundred and fifty or three hundred yards, has twenty six pieces of Cannon of four and six pounders, and a Cover or Breast work of Stone about four feet in height. The design of this Battery seems to be to prevent ships passing by the Town, to land forces above, to come down on the back part, as it only commands across the River S^{t} Lawrence. These are all the batteries they have in Quebec. I saw several other pieces of Cannon, besides in different part of the Town, but understood they were to be sent about three leagues down the River, to a place where they told me the Channel was so narrow and difficult, that but one ship could pass at a time, and that there were travelling carriages ettc always in readiness to transport them to that place in case of a Fleet's coming up the River.

West from Quebeck about three Leagues the Indian Nation of Hurons have a Castle, called by the French Lorette contains about Forty houses. The Country from Quebec to this Castle and round about, is very populous, the land hilly and broken, yet in many places produces plenty of good wheat and peas.

In my Journey from Quebec to Montreal which I made on the west side the River S^{t} Lawrence, I found the land near the water side fertile and good, full of Inhabitants, but this is only to be understood of the land lying within half a league of the River, for, from thence backwards, there are no inhabitants, neither indeed can there be, the land being so exceedingly barren, that it is impossible to improve it.

Thirty miles South of Quebec on this side the River, is a small inconsiderable town without any fortifications, called Trois Riviers, where resides a Deputy Gov^{r} Three leagues to the Westward of this is a very fine iron mine, where they have a large furnace and five Forges, and there is a report current that they cast Cannon ettc at that place; I saw the molds of several and one (Cannon) which they had attempted to cast but was spoilt in the casting. This mine is the sole property of the King, and I was told that four hundred of his men were daily employed here.

The distance from Quebec to Montreal is sixty leagues, and betwixt them are fifty eight parishes and Churches, that is, twenty nine, on each side the River S^{t} Lawrence.

The Town of Montreal is situated on an Island of the same name, on the west side the River S^{t} Lawrence, ten Leagues in length but not of any considerable breadth.

The Town is three quarters of a mile in length and one quarter in breadth, has a strong stone wall quite round, near the center is a small hill and on it a battery of twenty six pieces of Cannon, four, six, and nine pounders, called the Battery Royal, and commands the River and Country Round, besides this there is no other Battery here. There are indeed some small

pieces of Cannon, on the ramparts but I cannot ascertain there number. The situation of the Town of Montreal is beautiful, the streets are regular and the houses neatly built of Stone and wood. 'Tis the place of residence of a Deputy Governour. A fine Champain country round about a good soil and well inhabited. Four Leagues South of the Town of Montreal, on the East side the River S^{t} Lawrence, is an Indian Castle, called by us Cochnawagah, by the French Osault S^{t} Louis, they compute five hundred fighting men, and that it contains in the whole a thousand souls; it is Picketted in, has a Church, two Jesuits and an Officer posted here, as they have in every Indian Castle. Six leagues South of this Castle is another Called by the French Lac de deux Montagne, by us Conasadagah, in this are about the same number of souls as in the other, but the Inhabitants here are of two different nations, that is Orondocks and Cocknawagahs. These are all the Indian Castles I was at in Canada. On the East side the river S^{t} Lawrence, two leagues distant from the Town of Montreal, is a small village call Laprarie (not fortified) from whence there is a Road to Saint John's about five leagues and bears from Montreal South East.

S^{t} John's is a Fort situated on the River Chamblain which leads to the Lake of the same name, it is picketted in, has two block houses, but no Cannon, being designed chiefly as a magazine for the provisions and other stores, to supply the Garrison at Crown point, the carriage from hence thither is by a small brigg.—

Thirty two leagues South of S^{t} Johns, on the Lake Chamblain is the Fort Saint Frederic (called by us Crown point) where a Bay and small River to the Eastward forms a point on which the Fort stands. This Fort is built of Stone the walls of a considerable height and thickness, and has twenty pieces of Cannon and Swivels, mounted on the Ramparts and Bastions, the largest of which is six pounders, and but few of them. I observed the wall cracked from top to bottom in several places. At the entrance to the Fort is a dry ditch, eighteen or twenty foot square and a draw Bridge. There is a subteraneous passage under this draw Bridge to the Lake which I apprehend is to be made use of in time of need to bring water to the Fort, as the well they have in it affords them but very little. In the north west corner of the Fort stands the Citadel; it is a stone building eight square, four story high each turn'd with arches, mounts twenty pieces of Cannon & swivels, the largest six pounders, four of which are in the first story, and are useless till the walls of the fort are beat down. The walls of the Citadel are about ten foot thick, the roof high and very tant, covered with shingles.

At the entrance of the Citadel is a draw Bridge and ditch of the same dimensions of that to the entrance of the Fort. To the South South East and South west of the Fort the ground is rising and is very advantageous of erecting a battery in case of a siege, as 'tis not above three hundred yards distance from the Fort. Behind it the land is low, and some thousands of men may lie without receiving any damage from the Cannon of the Fort, as the ridge is a fine covert and lies circular so far as to flank two of the Bastions. They have a Chappel and several other wooden houses in the Fort which are put to no other use then the storing their provisions ettc. The land near the Fort in general is level and good, also on each side of the Lake which they are settling, and since the peace there are already fourteen farms on it, and great encouragement given by the King for that purpose, and I was inform'd that by the next fall, several more families were coming there to settle. This Fort is of very great importance to the French; for in time of war the parties sent to our fronties, are supplyed with necessaries from hence, at the same time it serves as a place of retreat, it lying north of Albany but about 40. Leagues.

Having been honoured by Your Excellency, with a Commission to the Governour General of Canada, I was on that account rendered the less capable of making more observations, then if I had perhaps been among them in a character not so publick. However such was my zeal for the service of my King and Country, that I let slip no opportunity of acquiring all the knowledge I could of their situation, strength ettc and even of their future expectations, as our neighbours and Rivals.—I shall beg leave only to add, what possibly Your Excellency may have heard before, and that is: the whole amount of their regular troops consists of 20. independant companies. As an addition to those there were daily expected to arrive from Old France, four compleat companies of fifty men each. I should have informed you I was at Quebec, when two hundred Recruits arrived from France, and six hundred more were daily expected, to compleat the above companies to Fifty men each.—

A few days before I left Quebeck I saw an Engineer and one hundred and sixty men embark from thence, for some place, as I was told in Acadia to erect a Fort there, the common report, and I believe it to be true, was, that there was as many more to follow them to the same place, and for the same purpose as would augment the number of the whole to four hundred.

By what general conversation I had with the French, in every part of Canada where I was, it seems very certain they are more chagrined at our settling at Chebucta, then if we had even kept posession of Cape Breton, as the situation, conveniency of harbour ettc, is of more importance to them than Louisbourgh, and I have heard them often declare they will never think themselves secured against the English in case of a future war unless they are masters of no less than Chebucta and Newfoundland.

I wish it had been possible for me to have made any computation of the number of Inhabitants in Canada. However I did all I could to come to that knowledge which was by enquiry, and by that understood, they were about forty thousand.

I am with the greatest respect, defference
and gratitude
Your Excellency's
Most obedient, most dutiful and
most humble servant
(signed) B. Stoddert

New York, July the 30th 1750.

To His Excellency.

Attorney-General Bradley to Captain Roddam.

[New-York Papers, (S. P. O.) XI., 202.]

(Copy).

Sir

I receiv'd Your's of the 21st inst: but confess litle expected any letter on that subject after my answer to your first; but as you now demand an answer in writing, that you may acquaint the Lords Commissioners of His Majtys navy of my conduct in this affair. I shall state the facts as they are come to my knowledge in order to give a more distinct answer to what you

demand. James Parks your Gunner's mate by order of your Lieut[t] fired a swivle gun from your ship at a small pleasure boat crossing the Bay, which killed a young girl in the boat; the corpse was brought ashore in this City and the Coroner supposing the fact to have been done within the body of the City and County of New York according as the bounds of the City is described in the Charter granted to this City by his Maj[ty's] letters patent which are confirmed by act of Assembly, summoned a Jury which sate on the body, and by that inquest the fact is found to be murder committed within the body of the City and County of New York, and James Parks guilty thereof; and I am told James Parks by your order was sent ashore from the ship, examined by the Coroner, and being accused of murder as above, was commited to Gaol by the Chief Justice of this Province. Whether these facts are true I can't pretend to say any further than that James Parks is found guilty of murder by the Coroners inquest as above, but have stated them as they have been reported to me and which if you give me occasion, I must represent to the Lords of the Admiralty accordingly. You desire by your first letter to know whether I have demanded James Parks of the Chief Justice, and if I have not, why I have not. Whether an Attorney General of this province is obliged to answer those questions I'm certain is no matter of doubt, but waving that I answer, I have not demanded him, and the reasons why I have not is: because I know no power or right I have to demand him and might Justly expect a severe censure from the Chief Justice for my impertinence and arrogance in matters of Law should I do it.

Whether the clause in his Excell[cy's] Commission you refer to in your letter is sufficient to oust the supream Court of this province of Jurisdiction, in this case of M[r] Parks's is not my province to determine; and God forbid but that he should have all the priviledges the Law allows him, especially in a matter of blood which I doubt not he will have, if he has anything to plead that can be of advantage to him in any way whatsoever.

I hope Sir, this being the Case you will not make it necessary for me to justify my conduct to their Lordships in this affair

And am your
very humble servant
R. Bradley.

July 23[rd] 1750.

To Capt[n] Roddam Command[r] of H. Majesty's ship Greyhound
a true copy (signed) R. Roddam.

Captain Roddam to Governor Clinton.

[New-York Papers (S. P. O.) XI., 211.]

May itt please Your Excellency

As James Park Gunner's mate of His Maj[tys] ship Greyhound under my command was committed to the common gaol of this City by Chief Justice De Lancey contrary to a Clause in your Commission, I think my duty to inform Your Excell[cy] that he still remains there notwithstanding I have applyed to the chief Justice by lett[r] several times for his discharge— I likewise applyed to M[r] Bradley his Maj[ys] Attorney Generall of this province, who's duty I

thought was to support His Majᵗʸˢ prerogative in all cases but by his answers to me copys of which I here inclose you'll Judge whether Mʳ Bradley, acts as he should in this case, Your Excellᶜʸ having long served in his Majᵗʸ'ˢ Navy in general, I leave this to Your Excellencys consideration—I am with all due defferance and respect—Your Excellency's

most humble and most obedient humble servant

July the 26ᵗʰ 1750. (signed). R. Roddam.

To Governor Clinton.

Governor Clinton to Captain Roddam.

[New-York Papers, (S. P. O.) XL., 212.]

(Copy).

July 27ᵗʰ 1750. Fort George.

Sir

Your letter of yesterday's date I received in which you make application to me in the affair of James Park your Gunner's mate; I have this day sent a copy of it to the Attorney General, and at the same time told him, that as the case concerned H. Majᵗʸ'ˢ service, I thought it his duty to assist and advise you what steps were proper to be taken, which he has promised to comply with; but notwithstanding of this, if he should not be able by his age and infirmities or otherwise to do this effectually and properly, it is my opinion, that you should apply to some other able Lawyer for his Assistance, as the affair strikes deeply at the discipline of the Navy, and I make no doubt of the Lords of the Admiralty's readiness in reimbursing any necessary expence that may occur on this occasion, and I would advise you to acquaint that board of all your proceedings upon the case. I am

Sir—Your humble servant. G. Clinton.

To Captⁿ Roddam Comᵈʳ of H. M's ship Greyhound.

Captain Roddam to Chief Justice Delancey.

[New-York Papers, (S. P. O.) XL., 213.]

Sir.

As James Park my Gunner's mate committed to Gaol by your Warrant, on accᵗ of the melancholy accident that happened sometime since by a shott from His Majesty's ship Greyhound under my command, Mʳ John How being at that time commanding Officer on board the said ship as my Lieutᵗ whom I immediately put under an arrest and have now sent on Bᵈ Mʳ Maistoison Captⁿ of His Majᵗʸ'ˢ ship Hector (which is now upon sailing for England) in order that he may take his tryall according to the statutes and directions of his Majᵗʸˢ navy by

which all H. M's ships are to be Governed—For which reason I desire you will order the said James Park to be delivered to me or my order, that as he is charged in Your warr[t] with murder committed on the water he may accordingly be sent home to take his tryall likewise, pursuant to the articles of war provided for the observance of His Maj[ty's] Navy—Your speedy answer will oblige—Sir—

Your very humble servant.

Rob[t] Roddam

June 19. 1750. a true copy (signed). R Roddam

To Chief Justice Delancey.—

Mr. Aldworth to the Lords of Trade.

[New-York Papers, Hh., No. 98.]

Whitehall 18[th] Aug[t] 1750

My Lords

Having laid before the Lords Justices your Lordships letter to the Duke of Bedford dated the 12[th] instant, together with its enclosures, relating to the Affairs of His Matys Province of New York I am commanded by their Excies to acquaint your Lordships, that it is their opinion you should prepare and lay before the Lords of His Majestys most honorable Privy Council, as soon as may be an exact account of the present state of that Province and its dependencies of the evils with which they are threatened and the Remedies your Lordships propose for those evils, to the end that the Lords of Council may consider of the same and lay their humble opinion and advice thereupon before the King for His Majestys information.

I am

My Lords

Your Lordships

most obedient Serv[t]

(sgd) Ri: Nev: Aldworth

Lords of Trade

Lords of Trade to Governor Clinton.

[New-York Entries, B. N. p. 81.]

To the Hon[ble] George Clinton Esq[re] Gov[r] of New York.

Sir,

Since our letter to you of the 29[th] of June 1748. we have received your's of the following dates, viz[t] 22[nd] of August, 7[th] of October, 10[th] of October, 20[th] of October, 30[th] of October 15[th] of Nov[r] 24[th] of Feb[ry] and 14[th] of March 1748. 2[nd] of May, 3[rd] and 6[th] of June, 7[th] and 28[th] of

July, 7th of August, 27th of Septr 17th of October 26th of Novembr and 19th of March 1748 and 3rd of April last, together with the several papers herein referred to or mentioned.

Such of these letters as contain any thing material relating to the unhappy situation of the Province under your Govern^{t} and to Indian Affairs, we laid before his Majesty's Secretary of State as soon as received; and we have had his Majestys Commands signified to us by order in Council to prepare a State of the Province.

As we are truly sensible of the growing mischiefs arising from the confussion in which the differences subsisting amongst the several branches of the Legislature have involved your Govern^{t}, we shall, when we have examined all the papers, and heard what may be represented to us as well by your Agent as the Agent for the province, and all others who are concerned in these unfortunate disputes, loose no time in preparing such a representation as shall appear to us most consistent with justice and most conducive to the true welfare of the province and the Honour of His Maj^{tys} Govern^{t}.

We have at the request of Mr Catherwood, your Agent, recommended Mr Holland to His Majesty to be of the Council in your Province, and have likewise proposed that Mr Alexander should be restored to his seat and Rank.

Oour Secretary wrote to you some time since, for all such evidence as you could procure, either from the Records of the Province or from private Information, which might be of use in determining the Limits betwixt the Province of New York and the Territories of His Most Christian Majesty, or in ascertaining the boundaries of the Country belonging to the Six Nations of Indians, or in shewing the encroachments of the French upon His Maj$^{ty's}$ Dominions, but no answer has been hitherto received; we desire therefore that you will use all diligence and dispatch in searching the Records for this purpose, and that you will send us authentick copies of all papers relative to those points. And we recommend it to you likewise to talk with those persons in Your Province, who are best acquainted with those matters, and transmit to us all papers and other proofs and in general all information which they can furnish, in as authentick a manner as possible. So we bid you heartily farewell and are your very loving friends

and humble servants

Dunk Halifax
J Grenville
Dupplin
J. Pitt

Whitehall
Septr 1st 1750.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 103.]

My Lords

Your Lordships will perceive from what I had formerly the honor to write and from the extracts of letters which I now send that the French are indefatigable in their endeavors, to withdraw all the Indian Nations from the British Interest I have done every thing in my power to prevent these mischeifs by informering the neighbouring Governors of the French artifices and by pressing the assembly of this Province to give the necessary supplies for this purpose

as will appear from my speech to them; a copy of which I do myself the Honor of inclosing. but if I may judge from the usual penurious temper of Assemblies, and the Presidents they have formerly given, as to their conduct in Indian affairs. I can not expect any thing will be effectually done by them but can not pretend to say any thing further until the Sessions is over

I have the honor to be with very grat Respect My Lords

Your Lps obed^{t} Servant

Fort George N York 12 Sep. 1750

GEO: CLINTON

Governor Glen to Governor Clinton.

[New-York Papers, Hh., No. 104.]

South Carolina 7 July 1750

Dear Sir

There is a Nation of Indians called the Catawbas who have been always firmly attached to this Government, and tho' they are a very brave People yet there seems to be great danger of their being totally destroyed, as many Nations of Indians far superior to them in number have for some time past carried on a War against them; Those Nations pass under the general name of Nottawagees, and they are sometimes called Senecas, but it is certain that besides the five Nations, there are the Delewares, and some of the Indians on the Ohio, as well as the Susquehanna, and Virginia Indians united in this War. There is the greatest reason to think that these Indians are set upon the Catawbas by the French, who weaken the British Interest, by making our friends destroy one another, but besides the loss of such faithful allies, as the Catawbas who have always proved an excellent Barrier to this Province, the Invasions of these Northward Indians is attended with other bad effects, for under pretence of going to War against them, they spread themselves over the whole Province, and whenever they can find any Indian, as there are many who live quietly among us in our Plantations, not being at War nor expecting War from any other Indians, they knock them on head. They begin also to attack and rob our White people, as well as Negroes, and it may be difficult to determine where there practices may end if longer permitted I therefore hope that you will endeavour to dissuade any of the Indians in Friendship with your Government and all such as you have any influence over from coming to War against the Creeks and Catawbas who are equally the Friends of the English, and the children of the same great King with your Indians, but I must desire that besides persuasive arguments, you will be pleased to let them know that if they continue to come into our Settlements and if they can not be prevailed upon to desist from making War upon the Catawbas & Creeks and our Settlement Indians (an inoffensive harmless people) we shall be under a necessity of revenging their quarrel, and will publish a reward for every Nottowagee or Northern Indian, that may be killed in any of the Nations of Indians in amity with this Government or by any person, who may meet with them in our Settlements

I am,

Sir,

Your Excellencys

most obedient &

mo humble Servant

A true Copy

G. CLINTON

sg^{d} JAMES GLEN

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 105.]

Extract of a letter from Coll. Johnson

May it please your Excellency

I am to acquaint you that three days ago Nichus the Sachim who was so long Prisoner in Canada, came with Hendrick, Abraham and the rest of them to tell me all the News they had heard in Canada and ernestly begged I would communicate it to your Excellcy which I will as far as is material, He says that Jean Ceur, a French, Interpreter, a noted man among the Indians is sent with an other officer along with him, to Ohio River in order to bring that body of Indians (who are stedfast in the British Interest) over to the French, if they possibly can by any means, having for that purpose a large quantity of valuable goods to distribute among them and all other Nations he goes through. If your Excellency will allow me to give you my opinion, and that of all the Indians, I spoke to on that head, the only way is to send an account of it immediately to Governor Hamilton who may have time to overset their schemes if he will but send proper persons there to talk with said Indians and tell them they only go as spies there &c it would be most requisite at the same time to send them a present — This account may be depended on, for the Interpreter Arent Stevens, who came lately from Oswego confirms it having spoke with Jean Ceur there; who made no scruple of telling several people of the purpose of his journey thither. If the French should by their valuable Presents &c overset our Interest with said Indians the five Nations must certainly submit also as them very Indians are the Cheif and trustiest Allies, we or the five Nations have, wherefore I hope there may be proper means and Dispatch used to stop an affair of so great importance. As for my sending them any message it would be too late, as he was so far a head, ere we could know it, they can be there before him yet from Philadelphia The next thing of consequence which he told me, was that he heard from several Indians when [he was there] that the Governor had given orders to the Priest,[1] who is now settled below Cadaracqui to use all means possible to induce the five Nations to settle there, for which end they have a large Magazine of all kind of clothing fitting for Indians as also arms, Ammunition Provision &c which they distribute very liberally

I can not omit acquaint^{g} your Excellency how insolent Nichus & Hendrick &c behaved now at my house they entered it in a great Passion, would not even shake hands with me or the Interpreter, I asked them what they meant by such behaviour, they answered they had sufficient Reason: saying your Excell^{cy} myself &c: were all French and had endeavored all in our power to bring the French Governor into our Plot which was to fall upon all the Indians on both sides and destroy them, that they were all assured of it, it being told to Nichus by all in Canada, and further says that the Governor of Canada, in a full meeting of Indians produced a very large Belt of Wampum he had from Your Excellency desiring him to join you in said Scheme, but declared he would by no means agree to any such thing having too great a regard for all Indians whatsoever this was corroborated by an other account he had in Canada of what passed between your Excellency and Deligneries, being told him by one of the French Indians

[1] Rev. François Picquet, founder of a settlement at the mouth of the Oswegatchie, now Ogdensburgh, N. Y. An account of this Missionary will be found in *Documentary History of New-York*, I. — Ed.

who attended Deligneries, in this manner—That after Deligneries and his party set off for York the last time, that Hendrick and a party of Mohawks came to Albany in order to kill them, but on my acquainting your Excellency of their design you put a stop to it for that time; After Deligneries was there above 50 days to no purpose as your Excellency would allow him no access. A York gentleman asked him if he did not take notice of a great concourse of People every day resorting to the Fort, he answered he did, and supposed they were about settling that affair of the Exchange of Prisoners, no says the Yorker the Governor is scheming how to destroy all the Indians, in conjunction with your Gov^{r} and it is agreed upon and settled, upon which you wrote a letter to Deligneries about it, which when he received ordered Beaubassin to interprette it to his Indians then there, which he did with an easy low voice. Deligneries desired him to read it aloud, for such a vile thing should not be kept private, after that he tells the Indians he would take upon him to answer your Excellency, which was that he was well assured of the Governor of Canada's love and regard for all of his Children that he would never come into any such thing, but would protect them from any attempts of that kind might be made against them This together with the other story of the large Belt of Wampum before mentioned made all the Indians imagine it to be actually Fact, adding they plainly saw there was a Coolness on your side, as you had not spoke to them in so long a time which convinced them you had no love for them—This and a great many other things they said, not worth mentioning now, which I assure your Excellency gave me three days hard work to get the better of, but at last convinced them it was french Policy (which they are remarkable for) to stir up the Indians against us and make a division among the five Nations, which could they accomplish they would set one half to kill the other so that at last there would not be one of them left, which is what they aim at the French took a great deal of pains also to hurt my Interest among the Indians by telling the Indian Prisoners &c that it was owing to me, that they were detained so long in Canada, by reason of my hindering the Indians to go there on the Governors invitation and assurance of releasing them all immediately if only one of them would go there in the name of the rest and make proper submission I had no great difficulty to settle this point with the Indians after making them sensible of the Governor of Canadas design in it which I told them was to bring them to make submission, and then lay them under such obligations as would make Slaves or Tools of them for ever after to him, they answered they were sensible of it, and heartily glad I did not suffer them to go, Give me leave to acquaint your Excellency of one thing which would be of Service, and much commended by every one who has the least spark of Goodness, that is your Excellencys recommend^{s} the poor people to the Assembly who were so long Captives in Canada and taken in our Service, I mean Van Scoike, Christopher M^{c}Grah, William Goff. and the four Indians whose loyalty & Stedfastness (notwithstanding all the Temptations thrown in their way) could not be shaken. An other thing very requisite to be done is the sending Smiths among the five Nations as soon as possible for they every day desire it, forbidding them at the same time or any others to bring any Spirituous Liquors among any of the five Nations, for it is actually the ruin of them; the penalty should be very great else they will not regard it I yesterday received a piece of News from Lieutenant Lindesay, that an Onondaga Indian told him (as a secret) that the French were endeavouring all they could to get liberty to build a Fort at Onondaga where they promise the Indians they shall always be supplied with powder, Lead, Clothing &c in plenty—If they should succeed the consequence may be easily judged—I thought it my duty to acquaint your Excellency

immediately of an affair of so great importance, and shall endeavor to get further information and try to stop it as much as possibly I can, & beg leave to subscribe myself your Excellencys most sincere

and most humble Servt
(sgd) Wm Johnson

Aug 18th 1750

A true Copy
Geo Clinton

Lieutenant Butler to Colonel Johnson.

[New-York Papers, Hh., No. 117.]

Oswego Septr 3d 1750

Sir

The 28th or 29th Aug last came a Caghnawagah Indian to Oswego soon after he landed, desired to wait on the officer, accordingly I went with him to Captn Lindesay. He said was lately come from his castle, but some [time] before he left it heard the following News Vizt

That the Governor of the three Rivers had been with a Nation of Indians living there or thereabouts & told them he was lately come from over the Seas, but before he left the old countrys had heard how much the New England People wronged them in their Lands, that he likewise understood they had lost several of their young men in the late War for which they had not yet taken revenge & said very much in order to spirit up the Indians against the English giving them at the same time all such things as Indians use in time of War, upon which about twenty young fellows rose up and declared they would immediately go a fighting & so set out for the Eastward of Boston, the News of which soon reached some other Nations, who sent ten young men after them in order to fetch them back, they were overtaken in the woods but could not be prevailed on. Upon which they went to the Governor in Cheif & complained of the Governor of the three Rivers, saying the Indians were now all at Peace with the English & would gladly remain so The Governor told them he had nothing to do with what that Gentleman did in sending out the Indians. The Indians were very much displeased at the Governors answer & said that Nation might look to themselves for they would not assist them against the English

I am Sir

Your mo obedient
humble Servant
(sgd) Thos Butler

To Coll Wm Johnson

A true Copy Examd Pr
Gw Banyer D Sêcry

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 118.]

Mount Johnson Sept 14. 1750.

May it please your Excellency

The inclosed information I had from Captn Thos Butler, then at Oswego, but is since come from thence, and by further inquiry find by the said Indian discourses with him, and by several other accounts, that the French Governors are spiriting up the Indians against the settlers of Nova Scotia as much as possible, and have succeeded beyond Expectation, telling them the English are settling now on their Lands and if allowed will in time dispossess them of all their Lands, telling them also that they are men of no spirit, if they do not likewise revenge the loss of so many of their People slain in the late War. They supply them with arms, Ammunition Clothing &c: for said Purposes This account is confirmed by the Cagnawagees, who told several Mohawks (whom they met when hunting) that the Onagungees had been at their Castle desiring their assistance in the pressingest manner, The Coghnawagees made answer, that it was but lately, they had buried their Axe, and they did not chuse to take it up again so soon understanding there was a general Peace

I think it my duty to acquaint your Excellency that Mr Kalm a swedish Gentleman (who was lately at my house in his return from Niagara) said he assured me he read a letter from the Lord intendant of Quebec to the commanding officer at Niagara,[1] dated some time this last summer, wherein he desires him to supply all Indians (who pass in their way to Oswego) with Goods, at such a Price as may induce them to trade there to gain which point at the time, he said the Lord Intendant in his letter says, he will not regard the loss of 20 or 30,000 Livres a year to the Crown. He also allows said officer to supply said Indians with what quantity of Brandy or Rum they may want, which never was allowed before, for their Preists were always against selling them liquor, but finding liquor to be one of the principal articles, they trade for, they are determined to let them have it as they would otherwise go to Oswego for it I take it their view in this, is as much if not more, for preventing any communication between us and said Indians, as for engrossing the trade, and in my opinion they could not have fallen upon a better scheme to accomplish Said Mr Kalm told me he heard the officers at Niagara say that by their letters from Canada, they had an account that Oswego would be given up to them as an equivalent for the Island Tobago

I can't help acquainting your Excellency of the ill Temper of the Indians of the five Nations at present occasioned by the Commissioners of the Oswego duties, threatening to make all the Inhabitants settled to the Westward of Albany pay duties for what Rum or Strouds they sell to the Indians, by which means said Indians must pay considerably more than usual for their said commoditys — This together with their being in some other respects, not so much taken notice of, as at this time they expected gives them a great deal of uneasiness and I am afraid may be of very bad consequence, if not prevented They would have me draw up an Instrument for them by way of complaint to your Excellency, wherefore I heartily wish there may be a stop put to it, as it would be a great hardship to all the Inhabitants who carry on a little trade for a livelyhood in the Country

[1] Monsieur Beaujon. *Kalm's Letter* on the Falls of Niagara, in *Bartram's Observations*, 81. — Ed.

The Indians plague me dayly for Smiths to be sent to their Castles and for Powder and Lead &c: which I have been under a necessity to give them while mine lasted It is high time now for the Smiths to go to their Castles wherefore I hope the Assembly may make Provision for it, and for all the past services unpaid; The Smiths ought to have about £20, for presents to give the Indians of each castle, where they are quartered. I flatter myself if proper steps are taken. I could bring the five Nations to make a lasting Peace with the Cataabas, and I make bold to affirm, if it be not done now it will hardly be ever done—I am with all respect imaginable

Your Excellencys
most obedient
humble Servant
(sg[d]) W[m] Johnson

a true Copy
G Clinton

Governor Hamilton to Governor Clinton.

[New-York Papers, Hh., No. 119.]

Sir

Your Excellencys letter of the third instant imparting to me Coll Johnsons intelligence of some French officers going towards Ohio with a large present for the Indians, was detained in the Post Office. Or I would have done myself the honor to have answered it sooner—especially as the contents are of great consequence and what I have had of late much under my consideration

The Indian Interpreter at Ohio was fortunately in Town when your letter came to my hands, and I despatch[d] him immediately with a Present to the Twightwees which at my instance had been provided by our Assembly. He came to deliver me a message from the Indians at Ohio to all His Maty's Governments, A Copy whereof I have enclosed as also copy of a message from the Twightwees giving to understand that they had resisted the French solicitations & Presents, and would adhere to their new Allies and if these Messages be duly considered, it can't but be thought necessary that those Indians be suitably rewarded for their attachment to us, because it must be obvious that if for want of due encouragement, Nations of such importance should go from us, this would affect our Influence on all other Indians, and might in the end totally destroy it

You can't be insensible that many[1] of the six Nations have of late left their old Habitations, and settled on the branches of Missisippi, and are become more numerous there than in the Countrys they left At which both the French & the Council at Onondaga are not a little alarmed, as it will give a remarkable Turn to Indian affairs and must draw on them the attention of his Majestys Governours.[2] If my information be true & I have it from persons of undoubted Credit, these Refugees of the Six Nations (if I may use the Term) the Shawonese & Delawares, with their new allies the Owendats and Twightees make a body of fifteen hundred if not two thousand men, and in my opinion these different Nations are now upon

[1] Numbers. *Pennsylvania Colonial Records*, V., 463.

[2] and must draw the Attention of his Majesties Governors into those more remote parts. *Ibid.* — Ed.

the Ballance. If a prudent management and seasonable Liberality be exercised they may be retained in our Interest. But if no notice be taken of them nor suitable presents made them, the French may justly reproach the Twightwees for their Defection, and they will cast these Reproaches on our Indians who perswaded them into our Alliance, and thereupon they may not only leave us themselves, but draw off our Indians with them, and if we should fall into these unhappy circumstances tis not probable we shall retain the Six Nations at Onondago long, for when these are strip'd of their allies, and of these Western Indians they will be despised, or to avoid contempt, go over to the French with the other Indians

This I take to be a true Representation of the State of Indian Affairs and gives me much concern that the Council at Onondago should not be able to retain their People among them, but by suffering their young Indians to go and settle in those distant parts, give rise to a new Interest that in a little time must give them Law instead of taking it from them; but the thing is too plain to be concealed and therefore His Majestys Governors will do well to consider what is proper to be done on this new Turn of affairs

This Province has cheerfully been at a very considerable expence to preserve these Indians, and was it in Ability, might continue to do so: but they grow too numerous for any single Colony, it is therefore become expedient that this matter should be fully set forth, and as I have taken the Freedom to place it in what appears to me [to be] the true light to your Excellency I have likewise done the same to the Governors of Virginia and Maryland in hopes that some thing may be done to frustrate the effects of the indefatigable pains the French are taking in that Quarter

If your Excellency shall think proper to make any Answer to the inclosed Messages on your Transmitting it home I'll take care to send it by the first opportunity to our Interpreter at Ohio

I am with all possible regard

Sir

Your most obedient

& most humble Servant

Philadelphia 20 Sep 1750 (sg^{d}) James Hamilton

New York
a true Copy Ex^{d} P.
Gw Banyar Sec^{y}

Message of Miamis and Hurons to the Governor of Pennsylvania.

[New-York Papers, Hh., No. 121.]

Copy of a Message delivered by Andrew Montour Indian Interpreter at Ohio, to the Governor of Pensylvania

May it please the Governor

The Twightwees who were admitted into the Alliance of the English in a Treaty held at Lancaster two or three years ago sent their Deputys to Allegheney last Winter, with a Message

addressed to the six Nations, and other Indians living on Ohio and to the several English Provinces accompanied with this string of Wampum

The Message delivered by the Deputys of the Twightwees was as follows

Brethren of the Six Nations and all the English living on Ohio, and all the English Governors

"We the Twightwees who are now one with you desire that the Road, which has lately been open between us, being a new one, and therefore rough blind and not well cleared may now be made plain, and that every thing which may hinder the Passage may be removed out of it, so effectually as not to leave the least obstruction, and we desire this may be done, not only as far as where you live, but beyond you to the places where our brethren the English live, that there Traders whom we desire to see amongst us, and to deal with us for the future, may travel to us securely & with Ease

"Brethren

We are yet young and unexperienced, you the six Nations are our elder brothers, and can advise us what to do on all occasions, We therefore put ourselves under your care, and request that you will look upon us children, and assist us with your Council, and we promise to follow whatever advice you give us; for we are sensible that it will be for our Good. Our Father Onontio has kept us poor & blind, but thro' your means we begin to open our eyes and to see things at a great distance. We assure you by this String of Wampum, that we the Twightwees, have entirely laid Onontio aside, and will no more be governed by his advice nor any longer hearken to what he shall say

This is our settled Determination, and we give you the strongest Assurances that we shall abide by it, and of this we desire you will inform the Six Nations Indians at Onondago and all the Indians who are in their and your alliance and likewise the Governor of Pensilvania and the other English Governors"

Sir

I have it further in charge to relate to you the answer which the six Nation Indians at Ohio, gave to this Message of the Twightwees

Brethren the Twightwees

Harken to what we say and consider our answer as the joint answer of all the Nations of the Indians living in these Parts, of our Fathers the Six Nations living at Onondago and of the English Governors all of whom we include in this answer

Brethren of the Twightwee Nations

"You have by your Deputies desired of us, that we would open the new Road between "us and you wide and take out of it every thing that can possibly hinder our Travelling safely "and pleasantly to one an other, and that the English Trader may come more amongst you. "And further that you have henceforth put yourselves under our care and desire we will assist "you with our Council and that you have entirely laid aside Onontio, and will be no more "governed by his Councils"

"We declare ourselves well pleased with every part of Your Message and will heartily join "with you in making the Road perfectly clear and free from all impediments We will take "you under our care, and assist you on all occasions in the best manner We trust your "Determinations are made with the utmost seriousness and Deliberation, and that you will "adhere to what you say—The English & We are firmly united together, We are all one

" people and our hands joined so together, that nothing can separate them You have joined " hands with them & us tis true, but yours are yet like the hands of Infants, they can not take " hold of the chain of Friendship with so much strength as those of riper years; but we advise " you to take as strong an hold of it as ever you can and to form an union that nothing can " break through — If any Tree should fall & block up the Road between us, be sure let us all " put our hands to it, and unitedly & amicably, like Brethren, throw it out of the Road — Dont " let us act single on any occasion, but altogether, and then shall we have the more strength"

Sir

I am further ordered to tell you that a Message arrived from the Twightwees just before I left Allegheney to acknowledge that they had received the Ohio answer, and returned thanks, and gave further Assurances that they would continue true to their new Engagements & expected to receive the Answer of the English Governors by the first Trader that should come into their parts in the Fall

Sr

I have finished what was given me in charge with respect to the Twightwees, but I have still something to communicate to the Governor of Pensilvania and all the other Governors on the Continent, which was communicated to me by the Owendaets (otherwise called the Ionontady-Haga Indians) in conjunction with the other Indians settled on Ohio, be pleased therefore to receive a message sent by the owendaets and the other Indians.

Brethren the Governors of Pensilvania and New York

When you were at War with Onontio, we were perswaded by Corlaer to strike the French, you have since made peace with Onontio, and we expected that we were included in that Treaty, but we dont find it so, for the French are always threatning us, and have put us into so much fear by their menaces, that we dare not suffer our People to go to the hunting places at a distance from us lest we should meet a party of French, This was the case all last summer, and we have received Intelligence from the Six Nations, that the French in Canada are now making Military Preperations, and intend to attack us this summer. Brethren you ought to have included us in your Peace, but since you did not, we now request that the English Governors would jointly apply to have us included in the Peace, that we may not be subject to their intimidations and Resentment of the French but be in quiet as well as you

Here he finished and gave a String of Wampum —

N B The Owendaets[1] lived on the other side of Lake Erie before the Commencemt of the War: but left their Settlements and came on this side the Lake, and committed Hostilities against the French & dare not return to their Towns but remain with the other Indians on Ohio

The above is a true Copy of an Indian Message delivered by Mr Andrew Montour Indian Interpreter at Ohio, & entered into the Council Books examd by me & Certified this 20 Sep 1750

RICHARD PETERS
Sêcy of Pensylvania

New York a true Copy
Examined by
GW BANYAR D Sêcry

[1] Hurons. — ED.

Lords of Trade to the Duke of Bedford.

[New-York Entries, B. N., p. 85.]

To His Grace the Duke of Bedford, one of His Majesty's principal Secretaries of State.

My Lord.

Having lately received a letter from Mr Clinton His Majty's Govr of the Province of New York, dated the 30th of July last, containing amongst other things an account of the difficulty he meets with in the Administration of Governt and the unhappy state of that Province, we think it our duty to transmit to your Grace the inclosed extract thereof.

Your Grace will observe from this letter that the late Assembly of that province has refused to grant any money either to the support of a garrison at Oswego which has been for twelve months maintained upon Mr Clinton's private credit or for making the usual and expected presents to the Five Nations at the conclusion of peace.

The consequences which may attend the want of a garrison at the important post of Oswego, as well as the neglecting to make the accustomed presents to the Five Nations of Indians are fully set forth in Mr Clinton's letter, and have been also represented by us to your Grace in our letter of the 25th of July last; we have reason to apprehend that this neglect of the Five Nations may prove the more fatal, particularly at this time, from the account contained in the inclosed copy of a letter from Coll: Johnson to Mr Clinton, which we have lately received from the president of the Council of Virginia of the unjustifiable attempts of the French to disturb the Peace in America, by stirring up the Indians in their interest to destroy several Nations on the Ohio in Alliance with us, which, should they effect, Coll Johnson apprehends the five Nations must also submit to them. We are, My Lord,

Your Grace's

most obedient and most humble servts

DUNK HALIFAX
DUPPLIN
CHARLES TOWNSEND.

Whitehall.
Octr the 12th 1750.

Lords of Trade to Governor Clinton.

[New-York Entries B. N., p. 88.]

To the Honble George Clinton Esqr Govr of New York

Sir,

Since our letter to you dated the 1st of Septr we have received your's of the 30th of July last, and have laid an extract of so much of it, as relates to the difficulties you are under in the Administration of Governt and the State of your Province, before the Duke of Bedford, together with a copy of a letter from Coll: Johnson to you concerning the unjustifiable attempts of the French amongst the Indians which we have lately received from the President of the Council of Virginia.

We are well pleased to find you have given orders to the proper Officers, to search for the papers we directed, and we hope, you will take care that they are diligent in their inquiries, that those papers may be transmitted to us as soon as possible.

We are now met after our usual recess & shall take the State of affairs in your Govern[t] into immediate consideration, and lose no time in preparing a Representation thereupon—So we bid you heartily farewell, and are ettc:—

DUNK HALIFAX,
DUPPLIN,
C TOWNSHEND.

15, October 1750.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 126.]

My Lords

The advices I had from my Agents gave me reason to expect, that I should have received early last spring His Maty's Pleasure, on the matters which I had represented to your Lordships and to his Grace of Bedford. I was in dayly expectation of this, till the middle of last Summer, and thought it my duty to delay meeting the Assembly of this Province, till I received His Matys Pleasure, as otherwise I was in danger of exposing the Authority of His Majestys commission to contempt. But being at last informed that nothing would be done relating to the affairs of this Government till after the Kings return from Hanover it became incumbent on me to provide for the Exigencies of His Matys service

The French had their Emissaries among all the Indian Nations depending on or in Friendship with the English Colonies who by all the Artifices in their Power and with a large expence of Money had gained great influence over them, by infusing into their minds prejudices against the English, and extravagant opinions of the French power, and were likewise inciting them to make war on each other; of which I transmitted to your Lordships and the Duke of Bedford the Informations I had received

The Garrison of Oswego (by which the fidelity of the Six Nations in a great measure is secured) tho' consisting of Regular Troops is supported in Provisions by this Province, which must have failed and the Garrison thereon been withdrawn without meeting the Assembly; To all which may be added that I and all the Officers of the Government had been two years without any support, which was harder on me, by the Difficulties which were made in the payment of my publick Bills, for which my person & fortune stand engaged

Now my Lords! If I had not met the Assembly all the misfortunes or other unhappy incidents in the Governm[t] which may happen, would have been thrown on me, with all the noise & Clamour that could have been raised or invented

I foresaw & must confess that I could not obtain any supply for any service however necessary, till I have[1] a promise to the Speaker, to pass all their Bills in the manner they were formerly, in the time of L[t] Governor Clarks administration and I humbly hope that the necessity of His Majestys Service will at this time excuse what the same necessity has so often before

[1] gave. *Clinton to Bedford, post.* p. 602.—ED.

constrained me to do, especially as I have not yet been able to obtain a direct Answer to any part of the Representations I have so long since made on this head

For I am perswaded your Lps must perceive that it is not in the power of a Government to prevent these encroachments on His Majestys authority, when your Lordships shall consider not only the neglect but the Contempt with which His Majestys commission & Instructions have been treated in former Assemblys

There are no instances I beleive where men who have by any means gained Power, that they willingly give it up and much more unwillingly, when they find means, at the same time to fill their own or their Friends Pocketts thereby

My duty therefore obliges me to tell your Lordships my humble opinion that the King must enforce the authority of his own Commission or resolve to give up the Government of this Province into the hands of the Assembly

I can safely affirm, that it is not in the power of any Governor on the present footing of affairs) to support his authority in this Province and in the present state of the Courts of Judicature in it, while the Assembly retains such an influence over all the officers of Government

I have the honor to be
With very great Regard
My Lords
Your Lordships mo obed^{t}
and very humble Servant
Geo Clinton

2 Dec 1750

Colonel Johnson to Governor Clinton.

[New-York Papers, Hh., No. 127.]

Sept^{r} 25. 1750

May it please your Excellency

This is to acquaint your Excellency, that the bearers hereof are two English men belonging to Pensylvania Government, and as they were trading among the Indians of Ohio River last Summer as usual were taken Prisoners by seven Indians sent by the commanding officer of De Troit for said purpose, and by him detained ever since the beginning of last June, it plainly appears by all the circumstances that he the said officer sent the Indians to take or destroy what English men they could meet, as the Indians told those young men so & shewed them the Ammunition Tobacco &c^{a} which the said officer gave them for their Journey: And when they brought said Prisoners to him, he was very thankfull and rewarded them well which said Prisoners were eye witnesses to. He being releived by an other officer, took those two Prisoners with him, in order to bring them to Quebec, but they lukily made their escape from him half way between Niagara & Oswego from which they came to me in a miserable naked condition. They say the French are making all the Preparations possible again the Spring to destroy some Nations of Indians very stedfast in our Interest, which if they succeed in, will be of very bad consequence They met in the Lake ten or twelve large Battoes, laden with Stores & Amunition for said purpose, with whom were several officers in particular

two sons of one of their L[t] Governors whom I suppose to be Mons[r] Longquiles Sons, certainly they have something in agitation which they want to put in execution as soon as they can; having accounts from several Hands lately which corroborate Those two men say that the French at Detroit and thereabout have offered and given some Indians great Presents to go & take or destroy one M[r] Crochan & Lawrie, two of the cheif men who trade from Pensylvania and have the most influence on all Indians, living thereabouts of any that ever went among them or in all likelyhood ever may—Should they succeed therein it would certainly be a great Step towards their gaining them Indians who are as yet very strongly attached to the British Interest and double the number of the five Nations, more over if the French go on so, there is no man can be safe in his own house for I can any time get an Indian to kill any man for paying of him a small matter Their going on in this manner is worse than an open War. Jean Ceur whom I mentioned to your Excellency some time ago is now gone among S[d] Ohio Indians in order to Sperit them up against the English (I wish he may meet with his proper desert) I hope your Excellency will pardon my troubling you with so long a Detail of this kind but [as] I thought it my duty to acquaint you of every thing that may come to my knowledge relating to the Service of the Province, hope you will excuse it and beleive me to be with all sincerity and Esteem

Sir

Your Excellencys

most obedient Servant

W[m] Johnson

New York

a true copy Exam[d] by

Gw Banyar D Sêcy

Affidavit of Mr. Horsmanden.

[New-York Papers, Hh., 125.]

City of New York

Whereas I the subscriber Daniel Horsemanden Esq[re] have lately been informed, that it has been whispered about this city for these twelve months past or more that I did apply to His Excellency our Governor and requested of him to recommend me to his Majesty for a commission to supersede Richard Brad[l]ey Esq[re] as Attorney General of this Province which report I have some reason to imagine was invented and purposely propagated to blacken my Character Therefore to wipe off so foul an Aspersion I am in justice to myself obliged to declare the truth That some time since to the best of my Remembrance last summer was two years M[r] Bradley being in a weak and declining State of health and in the Opinion of those that visited him not like to survive long, I did apply myself to His Excellency our Governor and after representing the dangerous Condition I apprehended M[r] Bradley to be in requested him to recommend me to His Majesty, through the favor of His Grace the Duke of Newcastle that I might be honored with that Commission in case of M[r] Bradleys death

Whereupon his Excellency was pleased to signify that he would, but asked me what reasons he should offer to his Grace, why I should be inclined in such a case to descend from the Bench

to the Bar or expressed himself in words to that purpose. And as I was not at a loss for Reasons I told them and the seemed satisfactory and His Excellency thereupon bid me commit them to writing and said he would accordingly write to his Grace. But to the best of my remembrance I did not do so till after his Excellency reminded me of it, and I then drew them up, and presented him with a copy of them. But that I ever applyed to his Excellency to intercede for a commission to supercede M[r] Bradley in his said Office I do absolutely deny And do declare that the said Report is utterly false and without the least shaddow of Foundation in Truth And more over that it never so much as entered into my thoughts to make any such application as last mentioned

DAN HORSMANDEN

MEMORANDUM the 23 Jan[ry] 1747

Then appeared before me Frederick Philipps (one of the Justices of the supreme Court of the Province of New York) the above named Daniel Horsmanden Esq[re] and declared upon the holy Evangelists of Almighty God that the Contents of the aforegoing Declarations are true.

Governor Clinton's Declaration on Mr. Horsmanden's Affidavit.

[New York Papers, Hh., No. 125.]

WHEREAS M[r] Daniel Horsmanden late a Member of His Majestys Council of this Province made an affidavit that he never applyed to me to intercede with the Duke of Newcastle to obtain a Commisson for him to supercede M[r] Bradley the present Attorney General in his office. And whereas I hear the said Affidavit gains credit with many people

I do hereby testifie & declare upon my honor and the faith of a Gentleman that the said Daniel Horsmanden did apply to me to move His Majesty through the favor of His Grace the Duke of Newcastle to supercede the said M[r] Bradley in his office as Attorney General of this Province in confidence the said M[r] Bradley would be dead before M[r] Horsmandens Commission could come from England, But as I detested an Act of that kind injurious to any man I flatly denyed the said Daniel Horsemanden my Interest or Recommendation for a Commission as Attorney General of this Province on such Terms, or upon any other Terms than in Case of the Death of M[r] Bradley. And I do further declare that the said Daniel Horsmanden has wilfully and notoriously perjured himself by that Affidavit — And I refer myself to M[r] De lancey the Cheif Justice of the Province if I did not soon after complain to him of M[r] Horsemandens ungenerous and unreasonable application in his own favor, with which I acquainted several of my Family at a time I was greatly inclinable to serve M[r] Horsmanden when no difference subsisted in the Province in [testimony] of which I hereunto set my hand

GEO CLINTON

20 Dec 1748.

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XI., 207.]

My Lord Duke (Duplicate)

The advices I had from my agents, gave me reason to expect I should have received early last spring, His Majᵗʸˢ pleasure on the matters, which I had represented to Your Grace and the Lords of Trade. I was in daily expectation of this, till the middle of last Summer, & thought it my duty to delay meeting the Assembly of this province, till I received His Majesty's pleasure, as, otherwise, I was in danger of exposing the Authority of His commission to contempt. But being at last informed, that nothing would be done, relating to the affairs of this Governᵗ till after the King's return from Hanover; it became incumbent upon me to provide for the exigencies of His Majesty's service.

The French had their Emissaries among all the Indian nations, depending on or in friendship with the English Colonies, who, by all the artifices in their power, and with a large expence of money, had gained great influence over them, by infusing into their minds prejudices against the English, and extravagant opinions of the French power and were likewise inciting them to make war on each other, of which I transmitted to your Grace and the Lords of Trade the informations I had received.

The Garrison of Oswego by which the fidelity of the Six nations, in a great measure is secured, tho' consisting of regular troops, is supported in provisions by this province which must have failed, and the Garrison thereon been withdrawn, without meeting the Assembly: to all which may be added, that I and all the Officers of Govᵗ were two years without any support, which was harder on me by the dfficulties that were made in the payment of my publick bills, for which my person and fortune stand engaged. Now My Lord Duke! If I had not met the Assembly all the misfortunes or other unhappy incidents in the Governᵗ which may happen, would have been thrown on me, with all the noise and clamour that could have been raised or invented.

I foresaw, and must confess, that I could not obtain any supply, for any service (however necessary) till I gave a promise to the speaker to pass all their Bills in the manner they were formerly in the time of Lieutᵗ Governour Clark's Administration; and I humbly hope that the necessity of His Majᵗʸˢ service, will at this time excuse, what the same necessity has so often before, constrained me to do especially as I have not yet been able to obtain a direct answer to any part of the representations, I have so long since made on this head, for I am perswaded Your Grace must perceive that it is not in the power of a Governour to prevent these encroachments on His Majᵗʸˢ Authority, when Your Grace shall consider not only the neglect, but the contempt with which His Majᵗʸˢ Commission and instructions have been treated in this and former Assemblies. There are no instances I believe, where men, who have (by any means) gained power, that they willingly give it up, and much more unwillingly, when they find means, at the same time to fill their own or friends pockets thereby.

My duty therefore obliges me to tell Your Grace my humble opinion, that the King must enforce the Authority of his own Commission, or else resolve to give up the Governᵗ of this province in to the hands of the Assembly. I can safely affirm, that it is not in the power of any Governour (on the present footing of affairs) to support his Authority in this province, and

in the present state of the Courts of Judicature in it, while the Assembly retains such an influence over all the Officers of Govern^{t}—I have the honour to be, with the greatest respect

My Lord Duke

Your Grace's

most obedient humble servant

(signed) G. Clinton.

Fort George in New York
13. Dec^{r} 1750

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 128.]

My Lords

Yesterday I had the honor of your Lordships Favor dated first of September last

I return your Lordships my thanks for your recommendation of Mess^{rs} Holland and Alexander

The 29th of August P^{r} Ship charming Rachel the very first opportunity that offered, I answered M^{r} Hills letter of 13th of April last, in which he signified to me His Matys Commands by your Lordships, relating to the Boundaries of this Province, as well as the extent of the Country belonging to the five Nations of Indians not only from the Records in the Secretarys office, but from M^{r} Lydius all properly attested which could not come to his Hands at the time of your Lordships favor to me

The 27th of July last P^{r} Ship Brittannia Capt^{n} Coffe, I did myself the honor to acquaint your Lordships, that M^{r} Colden (at the request of Gov^{r} Shirley) had transmitted to me three Lots of several Copies of Deeds and other papers for proving His Majestys Right to the Lands & Countries now claimed by the French. All these Papers &c were exemplified under the Seal of this Province as were those that came from M^{r} Lydius authenticated under the Corporation of the City of Albany

By the above I humbly presume will Lordships will approve of my Diligence and dispatch in procuring what Intelligence I could collect from the Records and other information, or private conversation Your Lordships may assure yourselves that I shall let slip no opportunity to gain further intelligence relating to the Boundaries, which If I do, I shall by the very first conveyance transmit it to your Lordships

I have just time to acquaint your Lordships that I am this day sending away circular letters to all the Governors upon the continent from South Carolina to New Hampshire to inform them that I purpose to be at Albany the first week in June next and to invite them to come thither in Person, or to send commissioners for their respective Governments, with proper Presents to join in a Treaty with the Six Nations, and other Indians in the British Interest, and to consult what may be proper to represent to the Governor of Canada concerning his Officers conduct towards our Indians, by their many Infractions of the fifteenth Article of the Treaty of Utrecht

I have the Honor to be

with great regard

My Lords

Your Lps most obedient

and most humble Servant

Geo Clinton

New York 13 Dec 1750

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 129.]

My Lords

I have just time to transmitt to your Lordships a Paragraph of a letter from Coll Johnson of 6th Instt which came to my hands last night (viz) "I shall do myself the Honor of sending "your Excellency a Plate of Lead full of Writing, which some of the upper Nations of Indians "stole from Jean Ceur, the French Interpreter, at Niagara, on his way to the River Ohio, which "river & all lands thereabouts, the French claim as will appear by said writing. It gave the "Indians so much uneasiness that they immediately dispatched some of the Cayuga Cheifs to "me with it, telling me as their only reliance was on me, ernestly begged I would "communicate the Contents thereof to them which I have much to our Interest and "their satisfaction"

As an other vessel will sail in two or three weeks, by which time I expect to receive the above described Plate of Lead your Lordships may be assured, that I shall communicate the contents as it may be of great importance at this time to clear up the Incroachments the French have made on the British Empire in America

I am with the greatest Regard
My Lords

Your Lordships most
obedient humble Servant
G: Clinton

New York 19th Decr 1750.

Governor Clinton's Certificate about Iron Rolling Mills, &c.

[New-York Papers, Hh., 132.]

By His Excellency Honble George Clinton Captain General, and Governor in Cheif, of the Province of New York and territories thereon depending in America, Vice Admiral of the same and Admiral of the White Squadron of His Majestys Fleet

In obedience to an Act of Parliament, Entituled, "An Act to encourage the importation of Pig and Bar Iron from His Matys Colonies in America; and to prevent the erection of any Mill or other Engine for Slitting or Rolling of Iron; or any plating Forge to work with a Tilt Hammer; or any Furnace for making Steel in any of the said Colonies" passed in the twenty third year of His Majestys Reign. His said Excellency doth hereby certify, that there is erected within the said Province, in the County of Orange, at a place called Wawayanda, about twenty six Miles from Hudsons River; one plateing Forge to work with a Tilt Hammer; which belongs to Lawrance Scrauley of the said county Blacksmith; has been built about four or five years, and is not at present made use. And further that there are not erected in his said Excellencys Government, any other, or more plateing Forges, to work with a Tilt Hammer,

or any Mill or Mills, or other Engine for Slitting and Rolling of Iron, or any Furnance or Furnaces for makeing Steel. In Testimony, whereof his said Excellency hath subscribed these Presents, and caused the Great Seal of the Province of New York to be hereunto affixed. At Fort George In the City of New York the fourteenth day of December in the year of our Lord one thousand seven Hundred and Fifty, and in the twenty fourth year of His Majestys Reign

G. Clinton.

Governor Clinton to Governor Glen.

[New-York Papers, Hh., No. 140.]

Fort George New York 18th Dec. 1750

Sir

I have the favor of your letter of the 25 Septr and am greatly obliged to you for the information you have given me concerning the Indians depending on your Government & shall take an opportunity to give you an account of the five Nations & other Indians we have any connection with

By the copy of Mr Weiser the Pensilvania Interpreter's Journal sent me by Governor Hamilton, I observe the six Nations, in answer to Mr Lees message to them, decline going to Fredericksburgh, desiring him to move his Council Fire to Albany where the will gladly hear what he has to say: Hence appears the necessity of transacting business with them at that place, where they have most usually held their Publick Treaties

I agree in your Sentiments that we should concert a general comprehensive Plan, to unite together in one Band of Friendship all the Indians upon the Continent, that are in alliance with or have any dependance on, the British Governmt and that this would be the only effectual means to secure them in their attachment to us. But as I conceive this cannot be carried into execution, unless by a meeting of the several Governors, or commissioners authorized to do it, I have notified my intentions of meeting the Six Nations at Albany in the first week in June next, to the several Governors, and recommended this matter to them as of the greatest importance and I flatter myself with your Excellencys Presence and Assistance or that of Commissioners from your Government it will I think be a favorable Juncture for establishing a Peace between the Six Nations and the Cattawbas and other Southeren Indians, with whom the Six Nations are at War if the latter can be prevailed on to send Deputies to this meeting which I hope you will use your Interest to incline them to

If this proposal of an Interview between the several Governors, or commissioners representing them, be approved of and they meet accordingly, it will I conceive be very proper they should then examine into, and draw up a state of the Indian affairs to be laid before His Majesty, and at the same time consider whether, it would not be a proper step to agree on a Representation to the Governour General of Canada touching the conduct of some of the Governors & officers under him, who have been guilty of Infractions of the Treaties of Peace subsisting between Great Britain & France, and particularly of the 15 Article of the Treaty of Utrecht. Especially

if it is done with such a concurrence, upon good proofs, which I hope all who know of any such will come furnished with or with the means of procuring them

I am &c.

His Excellency Gov Glen

G. CLINTON

A true Copy exam^{d} by

Gw BANYAR D Sêcry

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XI., 210.]

My Lord Duke

My want of health in this climate, & the situation of my private affairs oblige me to pray Your Grace would be pleased to move His Maj^{ty} to grant me his leave of absence from my Govern^{t} for twelve months, which I shall always esteem as the highest mark of Your Graces favour, in regard my well being wholly depends thereon.

I have the honour with the greatest
of regard and duty
My Lord.
Your Grace's most obedient and
most humble servant
(signed) G. CLINTON

New York 31st Dec^{r} 1750.

To His Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh, 137.]

My Lords

Herewith is transmitted to your Lordships copies of the Laws passed, during the late Sessions of Assembly in this province which began the 4th day of Septemb^{r} and ended the 24th of Nov^{r} last severally under the Seal of this Province, and fairly abstracted in the Margins, with the respective time when the same passed the Assembly, the Council, and received by my assent; all which are marked No 1 to 32.

Concerning which Laws pursuant to my Instructions, I am to acquaint your Lordships That the Laws N^{o} 1, 2, 4, 5, 11, 12 & 15 are in the usual manner, that such Acts have of late years been passed in this Province, and consequently liable to the complaints I have made to your Lordships and other His Majestys Ministers concerning such Laws for that I conceive the Assembly have thereby assumed to themselves, almost the whole of the executive part of this Government.

For two years past I have declined the passing of such Laws hopeing for his Matys directions on that head; but as no Directions came I conceived that I could not justify any longer delay, which in its consequences might have proved highly prejudicial, not only to this Colony but also to great Britain and all the other British Colonies, I shall beg leave to mention two of those bad consequences which are

(First) That there would have been an absolute necessity in that Case of withdrawing the Garrison of Oswego, for want of Provisions, of which place no doubt the French would have soon possessed themselves, and thereby have shut out this and the other Colonies from all Trade, and intercourse thereafter with the Far Nations of Indians who would thereby have been left entierly to the French And this Province & Great Britain would thereby not only been deprived of that beneficial Trade that for near thirty years past have been carryed on with the Far Nations, at Oswego, But also those Nations might in time have been prevailed on by the French to make inroads upon the English Colonies, and thereby greatly harass and distress them.

(Secondly) That a longer delay of meeting the six Nations of Indians dependent on this Province (which Service is now provided for by No 5) would have left these six Nations exposed to the artifices of the French who have been always most assiduous, and now more than ever, to gain them over to their Interest to weaken them by enticing numbers of them to desert the Six Nations and go and live in Canada and by persuading others to go to war with the Indians dependent on the Southern English Colonies in which endeavors the French have often been too successful

These my Lords I conceived would have been much greater evills than the proceeding a step more in what I think the bad Road which my Predecessors & I have heretofore (of necessity) gone into; and I hope the avoiding those evils will excuse me for assenting to those acts at this time

The Laws N° 6 & 7. which by the many frauds that have been committed become highly necessary to the Trade of this Province, to put an end to those fraudulent Practices which they are made to prevent

The Law N° 28 is to extend to the county of Orange, a law made in the fourth year of King William and Queen Mary for the benefit of the Counties of this Province that lay remote from the City of New York, For that by the late distant settlements in the County of Orange that County is become within the reason of that former Law—I have the honor to be with the greatest Esteem

My Lords
Your Lordships
most obedient & most
humble Servant
G. Clinton

Fort George in N York
Jan^{ry} 2^{d} 1750

Governor Clinton to the Lords of Trade.

[New-York Papers, Hh., No. 134.]

My Lords

In my letter to your Lps. of the 19th Ult° I acquainted you with my Expectation of Receiving a Leaden Plate, from Coll° Johnson lately got from the French, touching a pretended claim of theirs to lands near the River Ohio; I have since received it, and now enclose a copy of the superscription thereon, and of the speech made to Coll Johnson by a Sachim of the Cayouga Nation of Indians, sent by the five Nations to inform himself of the purport of that Plate, of which I have also sent copies to Governor Hamilton the only step the Council thought necessary at this time to be taken by me on the occasion

I have the Honor to be with
very great regard
My Lords
Your Lordships most
obedient humble Servant
G Clinton.

New York 17th Jan^ry 1750

Conference between Colonel Johnson and a Cayuga Sachem.

[New-York Papers, Hh., No. 135.]

Mount Johnson
Dec 4th 1750.

Att the desire of the Five Nations I called the Cheifs of the Mohawks to my house where Scanaghtradeya Cayuga Sachim after the usual compliments spoke to me as follows

Brother Corlear, & Warraghiyagee

I am sent here by the five Nations (with a piece of Writing which the Senecas our Bretheren, got by some artifice from Jean Cour) to you ernestly beseeching you will let us know what it means, and as we put all our confidence in you our brother, hope you will explain it ingeniously to us. delivered a Leaden Square Plate. A Belt of Wampum

Brother

I am ordered further to acquaint you, that J^n Cour the French Interpreter when on his journey (this last summer) to Ohio River spoke thus to the five Nations, and others in our alliance

Children

Your Father (meaning the French Governor) having out of a Tender regard for you, consider the great difficultys you labour under, by carrying your Goods, Canoes &c, over the great carrying place of Niagra, has desired me to acquaint you that in order to ease you all of so much trouble for the Future, he is resolved to build a house at the other end, of said carrying place which he will furnish with all Necessarys requisite for your use A Belt of Wampum.

Brother,

Jean Cour, also told us that he was now on his way to Ohio River, where he intended to stay three years, & desired some of us to accompany him thither, which we refused, whereupon he answered he was much surprized at our not consenting to go with him in as much as it was for our Interest & ease he was sent thither to build a house there also, at the carrying place between said River Ohio & Lake Erie, Where all the Western Indians should be supplyed with whatever goods they may have occasion for, & not be at the trouble & Loss of time of going so far to Markett as usual, (meaning Oswego) after this he desired to know our opinion of the affair, & begged our consent to build in said Places, he gave us a large Belt of Wampum therewith desiring our Answer which we told him we would take some time to consider of

Brother, we have nothing further to add at present but to acquaint you that your Brethren the Senecas have made two New Sachims which they desired I would let you know & their Titles, so that when you may have occasion to speak to them, yo should not be at a loss therein, they are called Onoghcaritawey, & Sagangiona two very good men, whom we hope may be agreeable to you A String of Wampum

Brethren of the five Nations

I am always glad to see you here at my house, but never more so than at this juncture, as it puts it in my Power now to be of the greatest Service to you, and of convincing you, that the confidence you have always reposed in me, was justly grounded, and will ever prove the greatest advantage to you while you continue to behave as you should & follow your brother the Governors advice, & not suffer yourselves to be wheedled or misled by the fine Speeches, of your greatest enemy the French, who have not nor never had, your Welfare at Heart, as you are sensible of, from their many former cruelties & ill Treatment to your people, But their Scheme now laid against you, & yours (at a time when they are feeding you up with fine Promises of serving you in several Shapes) is worse than all the rest, as will appear by their own writing here on this Plate . . *Note.* I repeat here the substance of said writing with some necessary additions. Giving a large Belt of Wampum to confirm what I said, which Belt with the rest are to be sent through all the Nations, as far as Ohio River

Brethren this is an Affair of the greatest importance to you, as nothing less than all your Lands, and best Hunting Places are aimed at with a view of secluding you entirely from us, & the rest of your Brethren, viz^{t} the Philadelphians, Virginians &ca, who can always supply you with the necessarys of Life, at a much lower rate than the French ever did, or could, & under whose Protection you are, & ever will be safer and better served in every respect, than under the French. These and a hundred other substantial reasons I could give you to convince yeu that the French are your implacable ennemies. But as I told you before the very Instrument you now brought me of their own writing, is sufficient of itself to convince the world of their Villainous designs, therefore I need not be at the trouble so shall only desire that you & all other Nations in alliance with you, seriously consider your own Interest, & by no means submit to the impending danger which now threatens you; the only way to prevent which, is to turn Jean Cour away immediately from Ohio, & tell him that the French shall neither build there, or at the carrying place of Niagara, nor have a foot of Land more from you.

Brethren what I now say I expect & insist upon it be taken notice of & sent to the Indians at Ohio, that they may immediately know the vile designs of the French.

A Belt of Wampum

Brother Corlear & Warraghiyagee

I have with great attention & surprise, heard you repeat the substance of that Devilish Writing which I brought you & also with pleasure noticed your just remarks thereon, which really agree with my own sentiments on it. I return you my most hearty thanks in the name of all the Nations for your Brotherly love and Cordial advice which I promise you sincerly (by this Belt of Wampum) shall be communicated immediately and verbatim to the five Nations by myself & more over shall see it forwarded from the Senecas Castle with Belts from each of our own Nations to the Indians at Ohio to Strengthen your desire as I am thoroughly satisfied you have our Interest at Heart

WILLIAM JOHNSON

New York
A true Copy Exam^{d} by
GW. BANYAR D^{y} S. Con.

Inscription on the French Leaden Plate above referred to.

[New-York Papers, Hh., 136.]

[TRANSLATED FROM THE FRENCH.]

IN THE YEAR 1749, DURING THE REIGN OF LOUIS XV., KING OF FRANCE, WE CELORON, COMMANDER OF A DETACHMENT SENT BY MONSIEUR THE MARQUIS DE LA GALISSONIERE, COMMANDER IN CHIEF OF NEW FRANCE, FOR THE RESTORATION OF TRANQUILLITY IN SOME VILLAGES OF INDIANS OF THESE DISTRICTS, HAVE BURIED THIS PLATE AT THE CONFLUENCE OF THE OHIO AND TCHADAKOIN, THIS 29 JULY, NEAR THE RIVER OHIO, OTHERWISE BEAUTIFUL RIVER AS A MONUMENT OF THE RENEWAL OF POSSESSION WHICH WE HAVE TAKEN OF THE SAID RIVER OHIO AND OF ALL THOSE THAT THEREIN FALL, AND OF ALL THE LANDS ON BOTH SIDES AS FAR AS THE SOURCES OF THE SAID RIVERS, AS ENJOYED OR OUGHT TO BE ENJOYED BY THE PRECEDING KINGS OF FRANCE AND AS THEY THEREIN HAVE MAINTAINED THEMSELVES BY ARMS AND BY TREATIES, ESPECIALLY BY THOSE OF RISWICK, OF UTRECHT, AND OF AIX-LA-CHAPELLE.

L'AN 1749 DV REGNE DE LOVIS XV [illegible]
'FRANCE NOVS CELORON COMMANDANT D'VN
DETACHEMENT ENVOIÉ PAR MONSIEVR LE M.IS
DE LA GALISSONIERE COMMANDANT GENERAL DE
LA NOUVELLE FRANCE POVR RETABLIR LA
TRANQVILLITÉ DANS QVELQVES VILLAGES SAUVAGES
DE CES CANTONS AVONS ENTERRÉ CETTE PLAQVE
AU CONFLUENT DE LOHIO ET DETCHADAKOIN CE 29 iVILLET
PRES DE LA RIVIERE OYO AUTREMENT BELLE
RIVIERE POVR MONUMENT DU RENOUVELLEMENT DE
POSSESSION QUE NOUS AVONS PRIS DE LA DITTE
RIVIERE OYO ET DE TOUTES CELLES QUI Y
TOMBENT ET DE TOUTES LES TERRES DES DEUX
CÔTES JVSQVE AVX SOVRCES DES DITTES RIVIERES
AINSI QVÉN ONT JOVY OV DÛ JOVÏR LES
PRECEDENTS ROIS DE FRANCE ET QUILS SY
SONT MAINTENVS PAR LES ARMES ET PAR LES
TRAITTES SPECIALEMENT PAR CEVX DE RISWICK
D'VTRECHT ET D'AIX LA CHAPELLE

Copy of the Superscription on a leaden Plate Col. Johnson lately got from the French; being a pretended Claim of theirs to Lands near the River Ohio. Bearing date the 29th of July 1749.
Reed with Govr Clinton's letter dated ye 17th of Janry 1750|1.

a true Copy Compar'd by
Peter De Joncourt, Interprette.

Governor Clinton to the Duke of Bedford.

[New-York Papers, (S. P. O.) XI., 141.]

To His Grace the Duke of Bedford His Majtys principal Secry of State.

The Memorial of the Honorable George Clinton Govr of New York

Sheweth.

That some time before, and ever since James Delancey was appointed His Majesty's Lieutt Govr of New York, he has headed a faction in the said province, in opposition to His Majtys Governt, and encouraged the Assembly there to make many and great incroachments upon the rights and prerogatives of the Crown.

That Your Memorialist being in a very ill state of health, doth intend to leave the Province as soon as he shall receive His Majtys lycence for that purpose, but conceives it of dangerous consequence to His Majtys service, and to the good governt of the province, that the Administration should fall into Mr Delancey's hands.

That should the powers of Governt devolve upon Mr Delancey, he will certainly show his resentment against the King's faithful subjects there, who have endevoured to support the authority of the Crown, and by whose assistance, Your memorialist has been enabled to surmount the difficulties Mr Delancey has thrown in his way.

That His Majtys Attorney and Sollicitor Genll are of opinion that the proper method to prevent the powers of Governt from falling into Mr Delancey's hands, is to apply to His Majty to appoint another Lieutt Govr, as your Grace will observe by their joint opinions hereunto annexed.

Your Memorialist therefore humbly prays, that Your Grace would be pleased to move His Majty to appoint a Lieutt Govr in the room of Mr Delancey or to revoke his commission.

Opinion of the Attorney and Solicitor Generals.

Case.

In 1741. His Majty by Commission under the great seal, appointed the Honble George Clynton Esqr Govr of New York in America.

There had not, usually, heretofore, been any Lieutt Govrs appointed for that Province; but some clauses in the Commission to Govr Clynton run in the following words.

"And we do hereby give and grant unto you, full power and authority to suspend any of the "members of our said Council, from sitting, voting and assisting therein, if you shall find just "cause for so doing. And if there shall be any Lieutt Govr him, likewise to suspend from the "execution of his command, and to appoint another, in his stead, until our pleasure be known."

"And We do hereby require and command all Officers and Ministers, Civil and Military, and "all other inhabitants of our sd province and territorys depending thereon, to be obedient, "aiding and assisting, unto you, the sd George Clynton, in the execution of this our "Commission, and of the powers and authoritys herein contained; and in case of your death, "or absence, out of our said province, and Territorys depending thereon there be no person

"upon the place commissionated or appointed by us, to be our Lieut^{t} Gov^{r} or Comd^{r} in chief "of our said province, our will and pleasure is, that the eldest Councillor, whose name is first "placed in our s^{d} instructions to you, and who shall be, at the time of your death, or absence, "residing within our s^{d} province of New York, shall take, upon him, the Administration of the "Government, and execute our said Commission and instructions, and the several powers and "Authoritys contained therein, in the same manner to all intents and purposes, as other our "Governour, or Comd^{r} in chief, of our s^{d} province, should or ought to do, in case of your "absence until your return, or, in all cases, until our further pleasure be known therein —

Some years after M^{r} Clynton had taken upon him the Govern^{t} of that province, His Majesty by warrant here, under His sign manual, appointed James Delancey, to be Lieut^{t} Gov^{r} of the s^{d} province.

That sign manual was not delivered out, to M^{r} Delancey, or to his friends, but was sent, by the Duke of Newcastle, to Gov^{r} Clynton in a letter from the Duke of Newcastle to Gov^{r} Clynton dated 27. Oct^{r} 1747. in the following words viz^{t}

"His Maj^{ty} thinking it for his service in the present conjuncture, to appoint M^{r} Delancey, "Chief Justice of New York, to be Lieut^{t} Gov^{r} of that province, therewith send you the "commission which the King has been pleased to sign, for that purpose; which, it is the "King's pleasure that you should deliver to M^{r} Delancey, before you leave New York. I "heartily wish you a good voyage to England."

The said warrant has now layn in Gov^{r} Clynton's hands, for about three years past, and has never been delivered over to M^{r} Delancey; for that M^{r} Delancey expecting from time to time, that Gov^{r} Clynton would come off, and that the Govern^{t} would devolve upon himself, has headed a faction there, in opposition to His Maj$^{ty's}$ Govern^{t} in the province and encouraged the Assembly there to make many and great encroachments on the rights and prerogatives of the Crown.

Gov^{r} Clynton has from time to time, very fully acquainted the King's Ministers of M^{r} Delancey's behaviour.

Gov^{r} Clynton is now applying for his Maj^{tys} leave of absence to come home, which his agents are in hopes of obtaining and of dispatching to him, by a ship which will depart the end of this week.

Gov^{r} Clynton conceives it to be of dangerous consequence to His Maj^{tys} service, and to the good Govern^{t} of that province, that the Administration of the Govern^{t} there should fall into M^{r} Delanceys hands.

And therefore, and for that reason only, is resolved to do every legal act, that he may, to prevent the Govern^{t} falling into M^{r} Delancey's hands.

His reasons for such resolution are known, and long have been known, to the King's Ministers, and they are such, as there is not the least doubt of their being well approved of, here.

The doubt is, what degree of power is given, by the King's Commission under the great seal, to Gov^{r} Clynton, in this respect; and how to execute that power, in a legal manner, so as to make Gov^{r} Clynton's appointment of a Lieut^{t} Gov^{r} effectual.

The words of his Commission are before stated, and your opinion is desired: WHETHER, Gov^{r} Clynton can retain the warrant of Lieut^{t} Gov^{r} from M^{r} Delancey, and bring it away, out of the province, as he may see fit, for the real good of His Maj^{tys} service — WHETHER, by virtue of the power given to Gov^{r} Clynton, by the King's Com^{tion} under the great seal in the words before

stated, Gov^r Clynton can, originally, appoint a Lieut^t Gov^r to act, in case of his absence, without taking any notice that M^r Delancey had ever been appointed L^t Gov^r— Or,—must he deliver over the Kings warr^t to M^r Delancey, and summon him to come & take the oaths and then suspend him, &, subsequent to such suspension appoint a L^t Gov^r in the stead of M^r Delancey, who had been so appointed by the King's warrant.

Upon all the circumstances of this we are of opinion, that the proper method for the Gov^r to take is to apply to His Maj^ty that he would be pleased to appoint another deputy Gov^r or impower the Gov^r to appoint another.—

28 Febr^ry 175$\frac{9}{1}$.

D Ryder
W. Murray

Report of the Privy Council upon the State of New-York.

[New-York Entries, B. N., p. 44.]

To the Right Hon^ble the Lords of the Committee of His Majesty's most Hon^ble Privy Council.

My Lords,

As it is a long time since We received Your Lord^pps order to prepare and lay before you a State of His Majesty's Government of New York, We can not but think it necessary in justification of ourselves to assure your Lord^pps, that this delay has not arisen from any neglect in us, but from the nature of the undertaking; it has been necessary to consult a vast variety of voluminous papers, and to make long extracts from many opposite Representations, before the materials and evidence could be brought within any method or compass for even a general view; the whole evidence was afterwards to be considered and stated, and all this at a time when the current and ordinary business of the Office has called for immediate dispatch, and a great variety of other extraordinary matters of importance have ocurred, and been referred to us, to take off our attention from this State. For these reasons we hope, that what has really occasioned this delay, in executing the orders of Your Lord^pps, will in your judgement sufficiently explain and excuse it.

It will be our endeavour in this State to give Your Lord^pps, as concisely as we can, a view of the present situation of the Province of New York, formed entirely upon that written evidence in our Office, and upon that only; together with our opinion what will be the most probable remedies for the several disorders and mischiefs, which we shall be obliged to set forth in the following State.

There is nothing so essencially necessary to the preservation of His Maj^ty's Govern^t in the American provinces, as the careful and strickt maintenance of the just prerogative, which is the only means by which those Colonies can be kept dependant on the mother Country, or the Governors themselves representing the Crown, maintain any power over their Assemblies, or any agreement with them.

No Gov^r ever departed from the prerogative in one instance, but he raised in the Assembly a confidence to attack it in another, which as constantly brings on contests, which again create animosities, which in the end obstruct all Parts of Govern^t

Thus, and in this temper, Mr Clinton and his Assembly stand at present, and therefore it will be most regular and clear to begin our State, with informing your Lordpps how this dispute has began, and how far the prerogative of the Crown has been infringed in course of it, by what degrees and what instances? —

Mr Clinton arrived at New York in Septr 1743., and his Assembly met on the 8th of Novr and after having taken such proper measures for the security of the Province as Mr Clinton was directed to recommend to them, they adjourned. Several Acts were passed by this Assembly, during their session, but as many of them relate to the private Oeconomy of the Province, we shall take notice only of such as it may be necessary to observe upon.

"An Act for the further continuance of an Act entitled: an Act for, and towards supporting "the Governt of this Colony by granting to His Majty the duties therein mentioned"

"An Act for payment of the Salaries, services and contingencies therein mentioned out of "the funds appropriated for the support of Governt" —

Mr Clinton in his letter to us, dated the 5th of June 1744. desires those Acts may be laid before His Majty for his approbation, tho' the support of Governt is limited to one year, and salaries, which ought to be settled on the offices, are granted to the Officers by name, by which the disposal of publick money, and the appointmt of Officers is usurped by the Assembly, and a power of making their salaries at any time as inconsiderable or large as they please. In the last of these Acts £1000 is given to Mr Clinton as a reward for his solicitation in behalf of the Province, and the expence and loss of time occassioned by it; As Mr Clinton in his latter correspondence with us, has been very full in lamenting the inconveniencies and mischiefs which have arisen to his Governt from these Acts, tho' at that time he so much recommended the confirmation of them, it may not be improper to state what appears to have been, in times previous to these Acts, the usage and method in granting money for the support of Governt. By all the Acts past for the support of Governt to the year 1737. the disposal of publick money is left in the hands of the Govr and Council, conformable to the direction of His Majtys Commission and Instructions; during the Administration of Govrs Hunter, Burnet, Montgomerie and Cosby, containing about 28. years, a general provision was made for the support of Governt for the term of five years, at the entrance of every Govr upon his Administration, with one general appropriation of the money to the publick service, and without any farther special application of it to any particular salaries or services, the Treasurer and Members of the Assembly only excepted; all publick money being directed to be drawn out of the Treasury by warrants from the Govr with the advice and consent of His Majtys Council. But in 1737, the Assembly limited the support of Governt to one year, and by directing in the Acts what sums particular services, and what salaries particular Officers by name, should have, they took upon themselves the disposal of the money, and the nomination of the Officers. Mr Clark (who was at this time Govr) represented at home, in strong terms, against this proceeding of the Assembly, with the reasons of his compliance at that time. The Assembly upon Mr Clinton's accession to the Governt, were unwilling to lose this priviledge, and accordingly, they passed their Act for the support of Governt, and that for the appropriation of it in the manner above stated; to this Act Mr Clinton made no objection to the Assembly, and recommended it at home for His Majtys confirmation; tho the greater part of those difficulties which have since embarassed his Administration, and of those encroachments which have since been made upon the prerogative of the Crown, may perhaps be thought by your Lordpps to have their foundation in this first unfortunate measure. Mr Clinton in a letter, dated the 22d June 1747, imputes his having

yielded to these usurpations of the Assembly, and his imprudent acquiescence, under these changes in the legal constitution of the Govern^{t} to the advice of M^{r} De Lancey Chief Justice of the Province, whom, as he says, he too far trusted at his first entrance on the Govern^{t}.

The Assembly met again on the 17th of April 1744. and after having made further provision for some, tho' not all of the services, recommended to them by the Gov^{r}, they adjourned to the Tuesday in July following, M^{r} Clinton having first given his assent to an Act for repairing the Fortifications ettc. By this Act, Commiss^{rs} are appointed for the services mentioned in the Act, to whom the money granted for such service is directed to be paid without warr^{t} from the Gov^{r} and Council.

On the 21st of Sept^{r} Gov^{r} [Clinton] gave his assent to the following Acts: viz^{t}

"An Act for regulating the Militia."

"An Act for raising £3200 for putting the province in a posture of defence"—

"An Act for raising £300. for finishing and compleating the fortifications in the City "of Albany"—

"An act, further to continue an Act for, and towards supporting the Govern^{t} by granting to "His Maj^{ty} the duties therein mentioned"

"An act for paying out of the funds appropriated for the support of Govern^{t}, the salaries and "services therein mentioned."

In the last of these Acts, making provision for presents to the Indians, and for an Interpreter and Missionary to be sent amongst them, and in that for raising £3200 ettc. the same rule is observed, as in the Acts of the preceeding year, and the money directed to be paid without warr^{t} from the Gov^{r}, and as often as a necessity has since occurred for making provision for the publick service, and acts of supply have been passed for that purpose, this same method of appointing Commiss^{rs} and disposing of publick money by their own authority has been kept up by the Assembly, and such encroachments gradually made by that means upon the Legal prerogative of the Crown, that many of the most essencial powers in the Gov^{r} have been transferred to the Assembly, who by degrees, have vested themselves with the disposal of publick money, of nominating Officers and fixing their salaries, of superceeding the Gov$^{r's}$ warrant in the issuing of publick money, with the custody of the Naval Stores of the Colony, the direction of the Fortifications, and the power of regulating the Militia. They likewise assumed to themselves, independent of the Gov^{r}, the passing of the Muster Rolls of all the Troops, except the four Independent Companys, raised for the service of the Province, appointed paymasters, and have also impowered the Commiss^{rs} for Indian affairs to raise and employ out scouts as they shall see a necessity.

M^{r} Clinton in his letters to us, excuses his acquiescence in these encroachments of the Assembly by alleging the danger which the Province would have incurred, if he had refused his Assent to Bills for the support of Govern^{t} in time of War when the frontiers were exposed to a powerful Enemy, the Indians not heartily in friendship with us, and when to have left the Province without Force, would have been to have left it, a prey to the French. And he observes in a letter written to us, upon the approach of peace, that the time was then coming, in which he should be able to recover the executive power of the Govern^{t}, and put a stop to the usurpations of the Assembly; and accordingly the Assembly having, on the 11th Nov^{r} 1748. passed a Bill for defraying the contingent charges of Govern^{t}, in which the former usurpations were not only repeated but enlarged; M^{r} Clinton refused his Assent to it, from which time the Gov^{r} has continued for two years, without any support, every executive part of Govern^{t} has

during that time stood still, several good & necessary laws have been suffered to expire, all the Officers of the Govern^{t} have been left without their salaries, all usual methods for securing friendship of the Indians have been entirely neglected, and in one word, every necessary and salutary measure of Govern^{t} for the peace and welfare of the Province, have been thus long, uniformly sacrificed to Faction and personal Quarrel.

The Assembly have been not only countenanced but supported in their unwarrantable proceedings by some Members of his Maj$^{ty's}$ Council, and as several very violent disputes have been carried on between the Gov^{r} and that party, all of which have greatly affected the General situation of the province, and must be taken into the consideration, both, of what is the State of it and what is necessary for its reestablishment. We will here insert a Remonstrance of the Assembly, and a contrary Representation of the Gov^{r} fully stating whatever is to be alleged in support of their particular conduct.

"To his Excellency the honourable *George Clinton*, Captain General and Governor in Chief, of the Province of *New-York*, and Territories thereon depending in *America*, Vice-Admiral of the same, and Vice-Admiral of the Red Squadron of his Majesty's Fleet.

"The humble Remonstrance of the General Assembly of the said Colony.

"May it please your Excellency,

"We his Majesty's most dutiful and loyal Subjects, the General Assembly of the Colony of *New-York*, take this Opportunity of laying our Sentiments before your Excellency, concerning the present deplorable State of the publick Affairs of this Colony.

"Your Excellency having been pleased, on *Tuesday* the 22d of *September* last, to prorogue the General Assembly to the 29th of the same Month; and from thence, by Letter to our Speaker, to direct an Adjournment to the 5th Instant, whereby it was put out of our Power, to lay before you the Representation we had prepared in answer to your last Messages; and which, in Point of Justice, we humbly conceive, we ought not to have been deprived of the Opportunity of answering, to clear up some Matters therein, which seem purposely insinuated to reflect upon our Conduct. We shall now take the Liberty not only of answering them, but laying before your Excellency, such Particulars, as, in our Opinion, requires your Excellency's most serious Reflection at this Time.

"With unfeigned Grief, and Sorrow of Heart, we bewail the surprizing Alteration in the Temper and Sentiment of the several Branches of the Legislature; so widely differing from that Harmony and good Agreement, eminently subsisting between them some Time ago.

"We shall go no farther back than that Memorable Day the 6th of *June*, 1746, on which your Excellency communicated, by your Speech to the Council and Assembly, his Majesty's Pleasure of setting forward an Expedition against *Canada*. The perfect good Understanding between the several Branches at that Time, may evidently appear on perusal of your Excellency's Speeches, the Addresses of Council, and Assembly, and your Excellency's Answers to both. It would be too tedious to recount the several Resolutions the House came to the same Day, with the greatest Chearfulness and Unanimity, and the subsequent Steps taken in Prosecution of that intended and important Enterprize; which were so many manifest Proofs of our warmest Zeal for his Majesty's Service, and the Safety and Interest of

the Country; and therefore the House content themselves with refering to their printed Proceedings on that Occasion.

"At this Time then, we presume to say, there was a promising Aspect, when every Party concerned in the Administration, were of the same Mind, and disposed to act as one Person; and hitherto we observe, the Business your Excellency was advised to recommend to us, was delivered in Terms clear, express, and intelligible, so that we were not at a Loss to draw our Conclusions.

"What Steps have been since taken, what Artifices industriously made use of, to distract and divide us, may appear by your Excellency's Speeches and Messages to the House, ever since you have thought fit to place your sole Confidence in that Person who stiles himself, "the next in Administration," and have been pleased to submit yourself to his Direction and Influence.

"We esteem it a great Misfortune to the Country, that you have fallen into such ill Hands, that the Fate of this Colony should in this Time of eminent Danger, depend solely upon the Advice and Caprice of a Man so obnoxious; who by the whole Course of his Conduct, seems to have only his own Interest in view, without any Regard to the Safety or Welfare of the Colony.

"Your Excellency in your Messages of the 28th of *August*, and 10th of *September* last, was pleased to ask Supplies of the House, for several Particulars, which they did not think it reasonable to provide for under the particular Circumstances attending them; and your Excellency had their Answer to the former, by the Resolves of the House on the 2d of *September* last, which contained Reasons whereon they were severally founded; which hitherto remain unanswered.

"But on the 9th of *September*, the House having Occasion to take into Consideration, the State of the Garrison and Fort at *Saraghtoga*, came to the following Resolution, which was laid before your Excellency, *to wit.* 'That as it appears to the House by several Informations, that Colonel '*Peter Schuyler*, Commander of the *New-Jersey* Forces, posted at *Saraghtoga*, will soon be 'reduced to a Necessity of deserting that Fort, for want of Provisions; the Time for which the 'last Supply of Provisions was sent, being nigh expired, and no Dispositions, as the House is 'yet informed of, making towards sending any further Supply to the said Fort, for the 'Subsistence of the Garrison there, his Excellency be humbly addressed, that he will be pleased 'immediately to give Directions for the Relief of that Garrison, lest the Fort, heavy Cannon, 'and other warlike Stores there, fall into the Hands of the Enemy; that if there be a failure in 'the Supplies of Provisions, for the Use of the *New-Jersey* Forces, by Reason whereof they can 'no longer be continued there, that his Excellency will in such Case, be pleased to give 'Directions, that a sufficient Number of the new levied Forces, raised in this Colony on the 'Expedition against *Canada*, who are plentifully supplied with Provisions by this Colony, may 'be immediately sent to, and posted in that Fort, for its Security; but if the Power of disposing 'the said new levied Forces, be no longer in his Excellency, that he will then be pleased to 'give Directions, that at least One Hundred effective Men, out of the four Independent 'Companies of Fusileers posted at *Albany*, be timely sent to garrison the said Fort at '*Saraghtoga*, and that his Excellency be assured that this House will make an Allowance for 'supplying so many of them with Provisions, as his Excellency shall be pleased to post in that 'Fort;' to which your Excellency returned no Answer.

"And afterwards on the 11th, that this Fort might be preserved in all Events, lest your Excellency should withdraw that Garrison, a second Time, the House came to the following

Resolution, which was also laid before your Excellency, *to wit.* 'That his Excellency be again 'humbly addressed, that he will be pleased immediately to provide for the Safety of his 'Majesty's Fort, Cannon, and Stores of War, at *Saraghtoga;* that if the *New-Jersey* Forces 'now posted there, cannot be continued to garrison that Fort, by Reason of a Failure in their 'Supplies of Provisions, that his Excellency will be pleased to give Directions, that a sufficient 'Number of effective Men, either out of the new levied Forces raised in this Colony, on the 'Expedition against *Canada*, or out of the four Independent Companies of Fusileers posted at '*Albany*, be timely sent to garrison the said Fort at *Saraghtoga;* and that his Excellency be 'assured, that this House will not only make an Allowance for supplying them with Provisions, 'but also provide for the Expence of transporting such Provisions to the said Fort;' neither to this did your Excellency return any Answer.

"And that the Garrison and Trading House at *Oswego*, might likewise be supplied and preserved in all Events, from falling into the Hands of the Enemy; and lest your Excellency should withdraw that Garrison, the House, on the 16th of *September* last, came to the following Resolution, which was likewise laid before your Excellency. "That it is the Opinion of this "House, that Col. *Johnson*, the Contractor for supplying the Garrison of *Oswego*, with Provisions, "having undertaken to supply that Garrison, at a certain fixed Rate, he ought to be bound by, "and perform his Contract; but if it shall appear, that by any unforeseen Accident, he has "been a Sufferer, the House ought to take it into their serious Consideration, and do therein "what shall appear reasonable;" notwithstanding Col. *Johnson*, had obtained the Contract from others, by Reason of his express Undertaking (as mentioned in your Excellency's Message of the 2d of *December* last) "To supply that Garrison in Time of War, without any other Expence "to the Province, than in Time of Peace."

Your Excellency is pleased to say, "that we well know in what Temper and Disposition "the six united Nations of *Indians*, were before your Treaties with them last Year."

"Your Excellency must excuse us, if we declare instead of "well knowing," that we knew little or nothing at all of, "the Temper and Disposition of the *Indians*, before your Treaty with them last Year," your Excellency having kept the *Indian* Affairs a most profound Secret, the greatest Part of your Administration; and for what Reason you have thought fit to divert them from their antient Channel, *to wit*, from the Conduct of the Commissioners appointed, and still it seems remaining in Commissioners, according to the antient approved Policy of the Government (as we had Occasion to observe to your Excellency, in our late Representation) your Excellency can best tell; we conceive your Excellency was very ill advised, in the taking those Affairs out of their Hands; for *Albany* was the established Place of Treaty with those *Indians*, they have often declared and insisted upon it to be so in their Treaties; the Persons in that Commission, were the principal Inhabitants of that County, well known to the *Indians*, and had great Authority and Influence over them, which we doubt not would have continued, had it not through the Artifices of designing Men, who have private Views, been undermined by employing private Persons, to negotiate Affairs with the *Indians*, without the Knowledge of the former, which rendered the Commissioners Schemes abortive; the Commissioners were so sensible, of the pernicious Tendency of this new invented System of Politicks, that soon after they discovered this new Practice, sensible of the Affront offered to them by it, and the evil Consequences that must thence ensue, they, as we are informed, wrote to your Excellency, requesting to be excused intermedling further in those Affairs; and surely, if your Excellency had thought any, or all the Commissioners improper Persons to be employed, as it was in your

Breast, so it seemed to have been incumbent on your Excellency, to have superceeded them by a new Commission, and appointing such other Persons, as your Excellency and the Council, should have judged more fit for that Purpose; and your Excellency's Failure in this Particular, and taking such contrary Measures with the *Indians*, has, as we conceive, and have observed heretofore, been the sole Means of distracting and perplexing Affairs with the *Indians*.

Your Excellency then proceeds, "the Commissioners for *Indian* Affairs, gave repeated Advice "of their Unwillingness to enter into the War against the *French;* many of them had actually "gone over to assist the *French*, and the Fidelity of all of them became suspected; the Success "of my Treaty with them, was so unexpected, that it is well known with what Reluctance "any Account of it was received, and that all Manner of Doubts were encouraged and "propagated, till the Effects of their Incursions on the Enemy appeared in this City."

"We believe the Advice the Commissioners gave was true, that the six Nations were very unwilling to enter into the War; amongst other Reasons, for fear of being drawn in to shed the Blood of their own Relations the *French Indians*, part of which (the *Coehnawaghas*) are a Branch derived from the *Mohawk* Nation; and therefore those who know any Thing of *Indian* Affairs, are apprized that the six Nations, had long before your Excellency's Arrival here, and since, proposed that the *Indians* in the *British* and *French* Interest, should observe and maintain a strict Neutrality, and not intermeddle in the War between us and the *French;* and for this further Reason, as our *Indians* have declared, that in Case of War, it is not with them, as with the *Christians;* they cannot make Peace when they please, but must proceed, till the one or other Nation submits to be conquered, or is extirpated; and 'tis our real Opinion, that had such a Neutrality been strictly observed by the *Indians*, it would have been much better for us, to have been left to fight our own Quarrel with the *French*, than to have treated with them to enter into the War; and after a great Profusion of Treasure, "at the Expence of the Crown," and this Colony, to have them still upon a precarious Footing; and to be retained only by the repeated Gratification of unreasonable Expectations.

"For though your Excellency has been pleased to tell us, "that they had engaged heartily in the War against the *French* and their *Indians*," yet, as touching any Engagement with the latter, no Advice (at least as we know any Thing of) has yet been received.

"We must take the Freedom to say, we know almost as little of the Success of your Excellency's Treaty with the *Indians*, which you are pleased to say, "was so unexpected," as we do of that Reluctance, with which your Excellency tells us, the Account of it was received, or of "the Doubts which were encouraged and propagated," concerning it; and though your Excellency says, these are "also well known," we are obliged to confess our ignorance about them; and, as the Truth is, declare we know nothing of those Matters, excepting thus much, that we remember last Fall, there were a few *Indians*, making a Parade in this City, who had taken three *French* Scalps and some *French*, but no *Indians* Prisoners, who for their Encouragement, received the Bounty by Law allowed, and were handsomly treated by the Council and Gentlemen of this City, and afterwards by the Assembly.

Your Excellency says further, that "after this, the Numbers of those gained heartily to the "*British* Interest, were with great Assiduity, every where represented to be very small, while, "at the same Time, the Numbers of the Disaffected were as industriously magnified, till the "great Numbers of *Indians*, who have joined Col. *Johnson*, with the greatest Alacrity, in his "Enterprize at this Time, against a Body of the Enemy, discovered by his Parties in *Lake* "*Sacrament*, from whence the Enemy send out great Parties, to murder cruelly the Inhabitants

"of this Province;" here, when your Excellency shall be advised to draw a Conclusion from the Premisses, and make the Scene compleat, we shall endeavour to give a more compleat answer to it.

But your Excellency says further, "and it has evidently discovered the Falsity of all those "Reports, and gives us an Opportunity to reflect, for what Purposes those Reports have been so "industriously propagated, to the Prejudice of the *British* Interest."

"Believe us, Sir, we are sincerely of Opinion, that these are mere Figments of the Person in whom your Excellency seems to place your sole Confidence; Reports that never had other Existence, than in the wicked Imagination and Invention of his own Brain; foisted upon us, as we imagine, with private Views, to magnify those Treaties your Excellency is said to have accomplished with the *Indians*, (considering also those great Difficulties you have been pleased to complain of, being thrown in your Way) that they may seemingly bear some Proportion, with those extraordinary Draughts made on the Crown, upon the Head of *Indian* Presents; for we are persuaded they are mere Amusements, and without any just Foundation; (and we cannot, but at the same Time, remark the Cruelty of such unjust and invidious Reflections, so purposely cast upon the Commissioners of *Indian* Affairs, as if their Sufferings in common, with the distressed People of the City and County of *Albany*, in their present deplorable Circumstances, were not alone sufficient to melt a Heart, that was not devoid of Humanity, into a Compassion and fellow Feeling of their Miseries.)

"That your Excellency has put the Crown to a very great Expence, as you are pleased to say, in recovering the Affections of the *Indians*, we do believe; though how properly the Money has been applied, we know not; but your Excellency must excuse us, when we say, we also believe, from the very large Draughts we have been credibly informed, you have made on that Account (and many of them made this Summer) and as we hear, no Reports of Presents lately made,

That your Excellency must now have a very considerable Sum in Bank, on that Score, though you are pleased to ask Supplies of the House on that Article; and considering "the "People of *Great-Britain* (as your Excellency says) are now at a greater Expence of Treasure "in defending the Liberties of *Europe*, than ever they were, at any time, since they were a "Nation;" we cannot but think, every one entrusted with disposing of the Crowns Money, should be religiously careful in its distribution.

"The Expression of your Excellency's concern for the Welfare of the People of this Colony, may, perhaps, amuse People at a Distance, and such as are unacquainted with the Management of our publick Affairs; but People that are not content with Profession, and outward Shews, and are apt to pry narrowly into Actions, which are looked upon as best Expositors of the Intention; and (however your Excellency may be advised to the contrary, under the present Influence) we bear the Testimony of a good Conscience, that we have with great Earnestness and Sincerity endeavoured to promote his Majesty's Service, and protect and preserve our Country, and have at a very great Expence, provided for the Annoyance of the Enemy; and we are persuaded, the Measures we have pursued, will, in the Opinion of every considerate and impartial Man, acquit us of all the innocent Blood that may be shed, in Consequence of every step of Misconduct under the present Influence.

"Had the Person who ingrosses your Excellency's Confidence, the Welfare and Safety of the People so much at Heart, as your Excellency is pleased to say you have, there have been Opportunities for both, to have given many convincing Proofs of it.

"Had your Excellency not pursued the Advice for with-drawing the Garrison at *Saraghtoga*, in the Year 1745, but continued and reinforced the same, it would have looked as if you had at Heart, the Protection of that Settlement, and would not have hazarded, 'the Shedding that innocent Blood,' and the carrying the poor People there into Captivity, which was the Consequence of rashly with-drawing that Garrison.

"If your Excellency had been advised, to have employed a proper Number of the new Levies, who were quartered near the City of *Albany*, and were unimployed (especially those of them raised within that City and County) for the Protection of it; by assisting them in getting in their Harvests (which for Want of their Aid, was left to perish in the Fields) and in Ease of the Inhabitants, tired and wearied out with continual Watchings, by the quick Return of Duty to every individual without Distinction of Age, every 3d or 4th Night.

"Had your Excellency not pursued the Advice to with-draw the small Remainder of the new Levies from the Places posted at, between the City of *Albany* and *Saraghtoga*, the frontier Garrison, and encamped them on the opposite Side of the River below that City, in a Place not only more convenient for Desertion, but impracticable for them, to give timely Assistance to it, in Case of a sudden Attack; these would have been esteemed as so many Demonstrations of your Excellency's Concern for the Maintenance and Preservation of the Garrison and Fort of *Saraghtoga*, and the People under its Protection, formerly, and at this Time of your Care and Concern for the Protection, Ease and Accommodation of the City of *Albany*, and its Inhabitants; and the keeping the small Remainder of the new Levies, together for the Service of his Majesty and the Country, and the sending out the 150 Rangers, for which the House made Provision, and desired your Excellency would be pleased to give the necessary Orders for that Purpose, with all possible Dispatch, which it seems is yet undone, would have been the most probable Means of preventing the Spilling of innocent Blood, to be laid at any Ones Door.

"Had the Persons concerned under your Excellency's Authority, in taking the Musters of the new Levies, been just and fair in their proceedings thereon; there would, according to Report, have been a considerable Saving to the Crown, in the Article of their Pay, which, considering the great Expence the People of *Great-Britain* are now at, in defending the Liberties of *Europe*, is a Matter worthy a most strict Enquiry.

We must also be free to declare to your Excellency, that we are very sensible with what Contempt, you have treated the People of this Colony in general, and the Members of this House in particular; from a very early Time of your Administration, in Terms so opprobrious, as are not fit to be published; and your Excellency's Speeches and Messages to the House of late, have been so full fraught, with unjust and injurious Reproaches, inviduous Reflections and Calumnies, that must have tired the Patience of the House, at any other Time than this, when we choose rather to suffer unjustly, if, perchance, we could by so doing, promote his Majesty's Service and the Interest, Welfare and Security of our Country.

"What Pains have been taken, through the Advice your Excellency has pursued, in your several Speeches and Messages to the House, for these twelve Months past, to distract and divide us; what opprobrious Insinuations and Reproaches have been thrown out, purposely to render our Loyalty to our most gracious Sovereign, and our Affection for our Country suspected? As if such injurious and crafty Imputations to the House, were the most likely Means to raise a Reputation to others, and cover the Failures of the Administration, under the present Conduct and Influence, by an Endeavour of throwing the Blame of all Misteps upon us.

"We have been charged under Authority, with 'declining every Expence that seems necessary 'for the Security of the *British* Colonies in *North-America*, and the well-being of this Province 'at this Time,' that we act contrary to the Inclinations of our Constituents, and other injurious Reflections of the like Kind, often repeated, and as often confuted by us; but, nevertheless, reiterated and insisted on at this Time.

"We have been harased with frequent short and unnecessary Adjournments, without Consent of his Majesty's Council, to Times unseasonable, when nothing was expected to be done, contrary to Precedents in the Times of former Governors, to the great Damage of the Members in their private Concern, and the heavy, needless, and unsupportable Expence of our Constituents. For Instance,

"On the sixth of *December*, after a Sitting of seven Weeks, your Excellency was pleased, without Advice of his Majesty's Council, to prorogue the General-Assembly, to the 13th of *January*, 'then to meet to proceed upon Business;' a severe Season of the Year in this cold Climate, when there was no Probability, that any Thing could require their Sitting, if the Weather would permit them to meet; and on the 13th of *January*, to the 3d of *March*, from thence to the 17th, and then to the 24th of the same Month.

"On the 25th of *March*, the General-Assembly being sitting, your Excellency was pleased to make a Speech to the Council and Assembly; wherein, amongst other Things, you were pleased to recommend to us, in particular, to make farther Provision for victualling the Troops levied in this Colony; this the House readily and chearfully complied with; and moreover, provided for 100 Rangers, to be employed in scouring the Woods in the County of *Albany*, and also for the Expence of your Excellency's Voyage to *Albany*, to meet the *Indians*.

"On the 23d of *April*, the House having finished, as to the Business before them, and having nothing more to do than meet and adjourn, they by Order, sent a Representation to your Excellency, to the following Purpose.

"'That, pursuant to your Excellency's Recommendation, and in tender Commisseration of 'the Out-Settlements, on the *Northern* Frontier, the House had passed a Bill for providing, 'among other necessary Services, for One Hundred Rangers, to be employed for the Protection 'and Security of the said Settlements, against the skulking Parties of the Enemy: That the 'Council having also then, eight Days since, passed the said Bill, it then only waited your 'Excellency's Assent, to have the several Matters therein provided for, carried into Execution; 'that the frequent Accounts received, of the Mischiefs done to our Out-Settlements by the 'skulking Parties of the Enemy, evinced the Necessity of a speedy Remedy, and that therefore 'the House humbly desired, that if your Excellency approved of the said Bill, you would be 'pleased to give your Assent thereto, that the Execution thereof might be no longer delayed; 'and they further represented to your Excellency, that having intimated to the House, in your 'Speech, at the Opening of that Session, that 'the Sitting should be but short,' they had 'declined proceeding upon any other Business, than what was recommended by your Excellency, 'and had then already done therein, what they judged necessary at that Time, and that their 'continuing Sitting, being attended with great Inconveniences to themselves, and occasioning a 'great Addition of Expence to their Constituents, already groaning under the heavy Weight of 'other Taxes; the House therefore humbly desired, that your Excellency would be pleased to 'allow of such a Recess, as the then Situation of publick Affairs would admit.'

"On the 24th of *April*, your Excellency sent a Message to the House, which required some Time to consider of; to which, your Excellency required our Answer, before you would favour

us with a Recess; the House then resolved upon a Representation to be drawn, in Answer to that Message, but before it was prepared, you were pleased, on the 25th, to send for the Council and General Assembly, and passed the Act before mentioned. And,

"On the 2d of *May*, without allowing Time for the House to finish their said Representation, in Answer to the said Message, you were pleased to send a Letter to our Speaker, intimating, amongst other Things, 'That his Majesty's Service would not permit you to continue the 'Session longer at that Time, and therefore signified your Pleasure, that the House should 'adjourn to the 12th of the same Month."

"On the 13th, your Excellency sent a Letter to the Speaker, signifying, 'that you thought 'it for his Majesty's Service, that the House should be adjourned to the 19th.'

"On the 19th, the Representation was ordered to be signed by the Speaker; and the House sent a Message to your Excellency, by two of their Members, to know your Pleasure, when you would be attended therewith; and soon after, the Speaker had a Message, signifying, 'that 'you thought it for his Majesty's Service, that the House should be adjourned to the 26th.

"On the 26th, your Excellency, by your Answer to the Representation, was pleased (upon the Allegations as before) to direct the Adjournment of the House, to the 2d of *June*.

"We shall pass over your Excellency's Message on the 2d of *June*, and the Opinion and Resolutions of the House thereupon, and only refer to them in the printed Proceedings.

"On the 5th of *June*, your Excellency sent a Message to the Speaker, signifying to him, 'that you thought it for his Majesty's Service, that the House should be adjourned to the 14th.'

"On the 16th of *June*, by the like Message, (on the same Allegation) the House was adjourned to the 7th of *July*.

"On the 7th, by your Excellency's Letter, to the 14th; on the 14th, to the 21st; on the 21st, to the 30th of *July*, on the same Allegation; and on the 31st, you were pleased to direct an Adjournment to the 3d of *August*.

"On the 4th of *August*, your Excellency sent a Message to the House; on the sixth, the House came to Resolutions thereon; to which we severally refer.

"From the 7th to the 14th of *August*, the House met and adjourned every Day; sometimes twice a Day, and nothing to do, your Excellency not having thought fit to recommend to them, (as has been usual) to make Provision for the current Services of the Year; or rather, your Excellency had expressed your Intention, that they should meddle with nothing further than what you recommended by said Message: The House nevertheless, unwilling to remain inactive, and put their Constituents to daily unnecessary Expence, proceeded upon that, and other Business, as they found it expedient in the Course of the Session; and ordered several Bills to be brought in, which were of absolute Necessity at this Time; which were brought in accordingly, *to wit.* The following severally, entitled,

"*An* Act, *to let to farm the Excise on strong Liquors retailed in this Colony, from the first of* November, 1747, *to the first of* November, 1748.

"*An* Act, *further to continue an Act*, entitled, *An* Act, *for regulating the Militia of this Colony.*

"*An* Act, *further to continue an Act*, entitled, *An* Act, *to prevent Desertion of his Majesty's Forces in this Colony.*

"*An* Act, *to prevent private Lotteries within this Colony.*

"*An* Act, *for appointing Commissioners to take, examine, and state, the publick Accounts of the Colony, from the Year* 1713.

"*An* Act, *for the more effectual cancelling the Bills of Credit of this Colony.*

"Two Bills to the like Purpose with the last, having passed both Houses the last Fall, your Excellency was pleased then to refuse your Assent thereto, saying you would take Time to consider of them, and yet immediately after prorogued the General Assembly; and the House conceiving such Acts would be of great Importance to this Colony, they therefore prepared them again.

"To proceed, there were farther these following Bills brought in, and preparing this Session, severally, entitled,

"*An* Act, *for raising the Sum of*, Two Thousand, Two Hundred, and Fifty Pounds, *by a publick Lottery, for a further Provision towards founding a College for the Advancement of Learning, within this Colony.*

"*An* Act, *further to continue an Act*, entitled, *An* Act, *for the establishing a Military Watch, for the City and County of* Albany.

"*An* Act, *further to continue an Act*, entitled, *An* Act, *for and towards supporting the Government of this Colony, by granting to his Majesty the Duties therein mentioned, from the first Day of* December, 1740, *to the first Day of* December, 1741.

"*An* Act, *for the Relief of the Poor in the County of* Suffolk. And,

"*An* Act, *to provide for the Payment and Subsistence of One Hundred and Fifty Rangers, to be employed in scouring the Woods in the County of* Albany, *until the first of* November *next.*

"In which Bill was intended should be included, the Provision for all other Services that might be judged necessary for the Protection and Security of the Frontiers the ensuing Winter.

"And in the midst of our Proceedings thereon, your Excellency on the 4th of *September* last, sent a Letter to the Speaker, signifying, 'that you thought it for his Majesty's Service, that the 'General Assembly should be adjourned to the eighth.'

"At this Time we cannot omit observing, that there were Commissioners appointed by his Majesty's Letters Patent, under the great Seal of this Colony, to meet and treat with Commissioners of the neighbouring Colonies, that were already, or should hereafter, be appointed, to meet and treat touching our joint Conduct in the War; and Commissioners from the Governments of the *Massachusetts-Bay*, and *Connecticut*, were arrived in this City; and all these Commissioners had met, and had entered upon Treaty for the Purposes in their respective Commissions, and were continuing fitting every Day, to give the utmost Dispatch the Importance of their Negotiations required; and as it would be absolutely necessary, whatever Conclusions these Commissioners should come to, that they should be approved of, and ratified by the several Branches of their respective Legislatures, by whose Consent they were impowered to treat, and by whose Aid Money must be furnished; so it was urged, that as the General Assembly of this Colony were then sitting, the Legislature here could be daily advised with, and their Sentiments known from Time to Time, concerning the Particulars under Consideration; and your Excellency well knows, that this was the Method of reasoning advanced, upon the issuing the new Commission, with full and absolute Powers, which you did not object to, and therefore must be supposed to approve of.

"On the 8th, the House met, and proceeded on the necessary Business of the Session, until the 17th; when, in the midst thereof, our Speaker received a Letter from your Excellency, directing an Adjournment to the 22d of the same Month.

"And After such Adjournment, (as before recited) and Prorogations, within about nine Months past, and the House was providing as usual, at the Fall of the Year, for the current Services of the next, at a Time when several of the aforesaid Bills had been carried up to the

Council for their Concurrence, and were passed by them also; several others ready for the Council, others in great Forwardness, and others ordered in, your Excellency thought fit,

"On the said 22d of *September*, to send for the Council and Assembly, and to pass only two of the said Bills; and then was pleased to 'prorogue the General Assembly, to the 29th of the 'same Month, then to meet to proceed upon Business.'

"Thus rendering vain and abortive all our Labours of the last Session, which were near, though not quite perfected; and giving us the Pain of a needless heavy Expence to our Constituents, to begin the Work a new, and do the same Business over again;

"On the 29th of *September*, the House met, ready to proceed upon Business; but soon after, our Speaker received a Letter from your Excellency, directing an Adjournment to the 5th Instant; and though the House, by a Message to your Excellency, then signified their Inclination to proceed immediately to Business, in order to shorten the Session, and thereby ease their Constituents of the Expence attending the same, your Excellency paid no Regard to it, but insisted upon the said Adjournment.

"We conceive thus stating the Facts, as in Truth they are, must be sufficient; we need not make any Reflections upon them; and whether or no, this Method of proceeding is calculated for his Majesty's Service, or the Security, Welfare, or Interest of the Colony, we submit to the Judgement of every impartial Person.

"But as your Excellency may perhaps be advised, that the Method to manage an Assembly, is to harass them with frequent short Adjournments, by which they will soon be tired, and brought to submit to any Measures; we take the Liberty to assure your Excellency, that such Advice is vain and fruitless: No Treatment your Excellency can use towards us; no Inconveniences how great soever, that we may suffer in our own Persons, shall ever prevail upon us to abanden, (or divert us from steadily pursuing) the Interest of our Country.

"It has often been insinuated, that we run counter to the Inclinations of our Constituents; that we do not do so much as they would have us; that we are parsimonious, and too saving of the Country's Money; and yet we imagine it must appear, upon a Review of our Proceedings, that notwithstanding our Care has been to manage with Frugality, the Colony have been put to the extraordinary Expence of near *Seventy Thousand Pounds*, since the Commencement of the *French* War, which is a Burthen we fear our Constituents will be apt to think too heavy for them to bear; however, we please ourselves with the Thoughts of having discharged our Duty to his Majesty, and our Country: What farther the publick Exigences may soon require, we cannot tell; but as we wou'd not be profuse and lavish of our Constituents Money, so neither would we be too sparing: We are ready and most heartily willing to do every Thing that can be reasonably expected of us, consistent with the Circumstances of the Colony, that may be for his Majesty's Service, and the Interest, Security, and Defence of this and his Majesty's other Colonies in *North-America*.

"*By Order of the General Assembly*,

"October 9, 1747. DAVID JONES, *Speaker*."

Message from His Excellency, Governor Clinton, to the General Assembly.

"*Gentlemen*,

"I have the Pleasure to perceive, from the first of your Resolves of the 8th Instant, communicated to me, by Order of your House, that the Scheme concerted by the Commissioners

of this Colony, with those of *Massachusetts-Bay* and *Connecticut*, has received so ready an Approbation; since it differs in nothing Material from the Plan, which I told you in my Speech, of the 17th of *October*, last Year, I had concerted with Mr. *Shirley* and Mr. *Warren*, at that Time; but that then, the Scheme which I concerted, was to be put in Execution, principally at the Charge of the Crown; whereas this must be entirely at the Charge of these Colonies, and that the Execution of mine, did not depend upon so many Uncertainties as this must do.

"Before the Meeting of these Commissioners, I had likewise the Pleasure to see, that the Plan which I had concerted, for the Security of the Frontiers, before I left *Albany*, last Year, and which was communicated to the Council of this Province, was so far, lately approved of by the Council; that it was unanimously made an Instruction to the Commissioners of this Province, to endeavour by all Means, to have one or more Forts built at the *Carrying-Place*, at the joint Charge of these Colonies, for the Security of the Frontiers, which is the very same Thing I intended to have done last Year, at the Charge of the Crown, when the Execution of it was so far retarded, by your Commissioners withholding the Provisions, and other Disappointments, that it became impracticable in that Season, and the Continuance of the same Clogs upon the Provisions, by your Acts, has rendered it impracticable at any Time since.

"I am at a Loss to conceive, what can be meant by the following Words, in your 4th Resolve, *viz.* 'That the Committe is persuaded, that his Majesty's Orders to his Excellency, 'with Respect to *Indian* Presents, are still subsisting;' If you mean, that I have not fully executed his Majesty's Orders, but that something still remains to be done, or that his Majesty has not determined his Orders; I must ask you, who persuaded you to think so? What Evidence have you now before your House, to persuade you, that either I have not fully executed his Majesty's Orders, or that he has not determined them? Was ever his Majesty's Pleasure communicated to any Assembly of this Province, otherwise than by the Governor? Can it be imagined, that any Governor in his Senses, would avowedly and publickly declare any Thing to be his Majesty's Pleasure, which really was not so, or in the most solemn Manner, refuse to do any Thing which his Majesty had ordered him to do? But to proceed, no Man need to be at any Loss to perceive the View and Purpose of the following Words of this Resolve, *viz.* 'And though by several Informations it appears that his Excellency has the 'Summer last past, made large Draughts on the Crown, on the Head of *Indian* Affairs, and no 'Disposition thereof for that Purpose, has yet been heard of.'

"Now, Gentlemen, I will venture to say, that notwithstanding, of your asserting this in such strong Terms, you know that not one Word of it is Truth, for though it may be true, that I have made large Draughts on the Crown, yet this could not appear to you as a House, by any Information, because you, in that Capacity had no Information of it, for which I appeal to your own Minutes, though some of you may know something of it as Merchants, yet the far greatest Number of you know nothing of it, but by a blind Faith in their Leaders. How can it be said, that no Disposition of any Money I have received on these Draughts has been heard of? This is as bold a Falshood, as ever came from any Body of Men. You assert, that no Person has heard of such Dispositions; it is impossible for you to know this, otherwise, than by full Proof before you, that none of that Money was disposed of, or that it still remains in my Hands; and of this you have not the least Appearance of Evidence, while you thus endeavour to throw so gross a Slander on your Governor's Character. On the contrary, I may ask, whether there be any Person of the least Note or Curiosity in this Country, who has not heard of several Parties of *Indians*, sent out at several Times against *Canada*, last Summer and since, and of no

less than 600 Men, marching at one Time, and that very considerable Numbers of *Indians*, have been from Time to Time, cloathed and armed, and constantly found with Provisions, and that several Persons both Whites and *Indians*, have been sent among the distant Nations, with Presents, to engage them in our Interest, and to bring their fighting Men to us, and Messages have been continually passing back and forward on these and such like Occasions.

"Let me ask you, whether this Province has paid one Farthing of any Expence upon these Occasions? For you must know it; and if this Province did not, who did pay all this great Expence? If I did not; nay tell me, who was capable of doing it, without making large Draughts for it?

"It is well known, how difficult it was before the Treaty I had last Year at *Albany*, to get a Dozen or a Score of *Indians*, to go out to Scout, and what a Charge these small Numbers cost; and now Col. *Johnson*, engages to bring a 1000, or more together, upon any reasonable Notice. It appears from Mr. *Johnson's* Examination, taken before a Committee of the Council, and communicated by me to you, at the Time my Message was sent, that the far greatest Number of Sachems, were in the *French* Interest; that they had received Belts from the Governor of *Canada;* that since I employed that Gentleman, in Consequence of the Promises they had made me, they had given up these Belts, and were entered heartily into the War against *Canada;* and that many numerous *Indian* Nations, living at so great a Distance from us, whose Names are but lately known to us, are now courting our Friendship, and ready to declare against the *French.* Can any Man in his Senses, imagine that all these Things could be done without a large Expence of Money? But, Gentlemen, as to whatever Sums I received by these Draughts, I am in no Sense accountable to you, since none of it was given by you, neither are you Judges of the Disposition of it, nor if any Accounts of the Disposition were laid before you, can you give a Discharge or Acquittance for a single *Penny* of it; and therefore, you have not any Thing to do with it.

"The making Peace and War, treating with foreign Nations, and all the executive Parts of Government, are indisputed Parts of the King's Prerogative; and at last before you conclude your Resolves, you discover for what Purpose, this vile Slander is thrown upon your Governor, with no less View, than to wrest his Majesty's Authority out of the Hands of his Governor, and to place it in the Hands of the Men, with whom you propose to deposite the Money; for since nothing can be done without Money, then the Governor cannot do any Thing with the *Indians*, but at the Pleasure of these Men, with whom the Money is deposited, and by that Means you, or rather a Faction among you, become the Governors of both Governor and *Indians.*

"Your 5th Resolve, shews how little you consider the Danger of the Garrison at *Oswego*, at this Time, and the Difficulties that may attend the sending any Relief, or the necessary Provisions thither.

"Your Zeal for encouraging the *Indians*, in prosecuting the War against *Canada*, I am sorry to see in what Manner it appears, by your 6th Resolve; when the *Indians* of the six Nations, declared War against the *French*, last year at *Albany*, they made it a Condition, that while their young Men were out fighting our Battles for us, the old Men, Women and Children, should be taken Care of by us, and protected, and for that Purpose desired to have one or two Places fortified, at our Expence in each Nation. This in itself, appeared so reasonable, that I believe, no Man in his Senses, can think it ought to have been refused; and if I had refused it, and thereupon the *Indians* had declined joining us in the War, you would not have failed to blame me; what Regard you have to the Honour of this Government, and Justice to the

Indians, appears from this Resolve; when to shew your Thankfulness to the *Indians*, who have exposed their Lives, and are ready again to expose their Lives, in Defence of the People of this Province, and when they desire Assistance from us, for the Safety of their old Men, Women and Children; you, Gentlemen, in Effect, say we will take no more Care of you than those will who live many 100 Miles from you, and never received any immediate Defence from you; and if they will not, we will not.

"Pray, Gentlemen, from whence do you expect certain and undoubted Advice, that the Forces at *Albany*, are to be discharged from his Majesty's Pay? Did you, or any Assembly, receive any Orders or Advice, directly from his Majesty or his Ministers, or otherwise than from the Governor of this Province? The Forces at *Albany*, are under my Command only, and you never will know any Thing of his Majesty's Pleasure about these Forces, but from me, or from my Successor. This Resolve seems a very forced Introduction of a very modest Claim of the Command of the Army, under the Title of Regulations: But, Gentlemen, I can tell you, that while you are thus in vain mispending the Time, in making Regulations of his Majesty's Forces, which ought to be imployed in making Provision for the Safety of the Inhabitants of this Province, you will soon have none of these Forces at *Albany*, to make any Regulations about them, if you do not accept of them under such Regulations as his Majesty thinks proper; and this you can only know from me, and you must accept of them on the Footing I proposed, or not accept of them at all. His Majesty will not part with the least Branch of his Prerogative, relating to Military Affairs; nor dare I, nor will I, give up the least Branch of it on any Consideration, however desirous you may be to share in it, or to have the Whole Command.

"And to put this your Claim of the Command of the Army, out of dispute, you send your Orders next to me, relating to the Fort at *Saraghtoga;* and this you do at a Time, when some of you at least know, that though I heartily inclined to do all that you now desire of me, it is at this Time impracticable.

"The Design of these Resolves will too evidently appear to all considerate Men, to be no other than by raising a most unreasonable Clamour against me, for what was not in my Power to prevent; to throw an unjust Odium on my Administration, when at the same Time, what may have happened, is principally occasioned by the unreasonable Opposition you have made to all reasonable Measures which were concerted to prevent it.

"You have not by the Constitution of the Government, any Share in the Execution of Military Orders; you are not from the Nature of Things, capable of judging of these Matters, because you cannot pretend to that Knowledge or Skill, that is necessary for this Service; neither can you have sufficient Information to know what is proper on the several Events which may arise every Day in Military Affairs.

"I formerly told you, that the Frontiers of this Province, could not be secured by that Fort, so as in any Manner to prevent the Incursions of the Enemy; and in this, I have the unanimous Consent of all who are capable of judging, and who have sufficient Information to judge; and what has happened to that Fort, I forewarned you of in my former Messages, was likely to happen, unless you gave me proper Assistance to preserve it; which you have not done: It has occasioned a heavy Expence to the Crown, in the Reliefs that became too frequently necessary; nothing has caused so much Dissatisfaction among the Soldiers, as their being sent to that Garrison; and more Lives have been lost by its disadvantageous Situation, than by any other Cause since the Commencement of the War. It was at first placed there by Commissioners

recommended to me by the Council, as the properest Persons to be intrusted; who, as has been since discovered, had not the publick Benefit in View, but to preserve some Quantities of Wheat, their own Property, and then growing.

"No Reason can be assigned for continuing a Garrison in that Place, but as it is a Step towards *Canada*, in Case the Expedition had gone on this Summer, and because some of the warlike Stores for that Expedition were lodged there, and that the with-drawing an advanced Post, might give Discouragement to the *Indians* our Friends: But when it could not be longer maintained without hazarding a total Dissolution of the Forces at *Albany*, and the Loss of the Cannon and Stores lodged there, it became absolutely necessary to withdraw the Cannon and Stores, and to prevent the Enemy's taking an Advantage of these Misfortunes, and which were in a great Measure occasioned by your Behaviour, in opposition to the Measures I had taken, and represented to you as necessary for securing that Post. I must leave it to his Majesty's Ministers to judge, whether I have not done every Thing incumbent on me, or in my Power, on this Occasion; and to judge whether you have done your Duty for his Majesty's Service and the Safety of the People whom you represent.

"Finding by the Minutes of your Proceedings since the last Prorogation, that you were going upon numerous Matters, and Bills, some of them of small Weight and Consequence at this Time, when I think the Province to be in the greatest Danger; and when I thought all Things ought to be postponed to the Consideration of the subject Matter of the Message I sent you the first Day of your Meeting, for securing the Frontiers, and the Lives and Estates of the Inhabitants of this Province.

"I sent the Message the 8th of this Month, to incite you to proceed on the subject Matter of that first Message, without Delay; and for that Purpose, I told you, that I would receive nothing from you on any other Subject, till I should know your Resolutions as to the securing the Frontiers, and the Safety of the Province; after which you may have Time enough to consider any Thing else which you may think proper.

"The next Day after you received this Message, you ordered the Door to be locked, and the Key to be laid on the Table: For what Purpose was this Farce acted on this Occasion? Was there any Appearance of any Person without Doors, attempting to break in upon you? Or, did any of your own Members seem willing to run awy? I am well assured that was not the Case! Was it then to assume a Power to shut me out, that I might not have access to you by Message, or otherwise? If so, the doing of it is a high Insult on his Majesty's Authority, and a with-drawing of your Allegiance for that Time.

"But, Gentlemen, wherein by this Message did I encroach upon your undoubted Rights and Privileges? I told you what I would do, or not do, myself; that is, I would receive nothing from you till I knew your Resolutions for securing the Province. I imposed nothing on you but that Message; have not I Liberty to act, as well as you? And may I not complain of any Encroachment upon my Liberty and Authority, as well as any other Subject or Officer of the King?

"Consider, Gentlemen, by what Authority you sit, and act as the General Assembly of this Province! I know of none but by the Authority of the King's Commission and Instructions to me, which are alterable at his Majesty's Pleasure. You seem to place it upon the same Foundation with the House of Commons, of *Great-Britain;* and if I mistake not, you, by the Resolves of the 9th of this Month, assume all the Privileges and Rights, of the House of Commons of *Great-Britain:* If so, you assume a Right to be a Branch of the Legislature of the

Kingdom, and deny your Dependence and Subjection on the Crown and Parliament. If you have not the Rights of the House of Commons of *Great-Britain*, then the Giver of the Authority by which you act, has, or can put Bounds and Limitations, upon your Rights and Privileges, and alter them at Pleasure; and has a Power to restrain you when you endeavour to transgress; and I must now tell you, that I have his Majesty's express Commands, not to suffer you to bring some Matters into your House, or to debate upon them; and for that Reason, the Custom has been long established, of the Clerk of your House, to shew every Day to the Governor, the Minutes of the Proceedings of your House; and it is an undutiful Behaviour to keep any Thing secret from me that is under your Consideration.

"In short, Gentlemen, I must likewise tell you, that every Branch of the Legislature of this Province, and all of them together, may be criminal in the Eye of the Law; and there is a Power able to punish you, and that will punish you, if you provoke that Power to do it, by your Misbehaviour, otherwise you must think yourselves independent of the Crown of *Great-Britain*. But before I conclude on the Head of these extraordinary Resolves, I cannot but take Notice of that unmannerly Method taken up by you Members of the present Assembly, of ordering me to be served from Time to Time, with Copies of your Resolutions. This is a Method no way warranted by any Practice in Parliament, (whose Practice you think ought to be the Rule of your Conduct) it is highly disrespectful to that Authority which his Majesty has placed in me, and is an assuming in some Sense, an Authority over me, and a Direction of my Conduct. For what Purpose else can this be done, since without this, by a Practice established ever since a General Assembly sat in this Province, the Proceedings thereof are daily communicated to the Governor; and in Pursuance of his Majesty's Commands, all your Proceedings ought to be communicated, that the Governor may put a Stop to them, when they became disorderly or undutiful to his Majesty, or perhaps criminal.

"This leeds me to consider a most indiscreet Behaviour of some of the Members of your House, who in a quarter of an Hour after I was served with the Copy of your said Resolves, of the 9th Instant, came into an Apartment of my House where I was busy, and without the least previous Notice, one of them offered to read a large Bundle of Papers, which he said, was a Remonstrance from the House. Does every private Man in this Country, think his own House his Castle? And must your Governor, when in his private Apartment, be thus intruded upon? Would any private Man bear such Behaviour in a Stranger? And must your Governor bear it with Patience? I think therefore from such Behaviour, without any other, I had too much Reason to refuse to receive it, or to suffer it to be left with me; and from some past Representations which have been openly made by your House, I never will hereafter receive any Thing from your House, in publick, the Contents of which is not previously communicated to me in private, that I may judge whether it be necessary for his Majesty's Service, and publick Good, to give Access to me for that Purpose.

"*Gentlemen*,

"I must likewise on this Occasion, observe to you, that at the Opening of the present Session, you did not, as usual, acquaint me with your being a House, in order to receive from me what I should think necessary for your Consideration at this Time; and as I believe that you cannot give any Instance where this has been omitted by any General Assembly of this Province, before this Time, I must think that this Omission was with Design. Before I had any Opportunity of speaking or sending any Message to you, you entered into several Resolves, *viz.*

"You resolve to take the State of the Province, and of the Frontiers, into your Consideration; but without doing this, or receiving any Information of the State of the Province, or of the Frontiers, being laid before you.

"That the late and frequent Adjournments and Prorogations, I had made of the Assembly, have occasioned Interruptions in providing for the Defence and Security of the Frontiers. Now, Gentlemen, is not this an Incroachment upon the King's Authority in my Hands, and taking upon yourselves a Superiority over, and controlling Power of that Authority, without acquainting me with any Reasons you had for taking the State of the Province into your Consideration.

"In the same Breath, you resolve to make a Remonstrance upon the State and Condition of the Colony, and without resolving what shall be the Subject Matter of that Remonstrance, you order a Committee to draw it up: The Committee in a very little Time, bring in their Remonstrance into the House; and it will beyond Contradiction, appear from the Minutes of the Proceedings of your House, the Time when you met, and the Time when the Committee brought it to my House, that there was scarcely Time to read it hastily over, and that it was impossible for your House to form any rational Judgement on what the Committee had done. Is this acting like rational Men? Is this following Precedents of the Parliament of *Great-Britain*, which you pretend so much to imitate? No, I'll defy any Man to give any Precedent of this Nature, unless it was in that House of Commons that had resolved to take away the King's Life, and to overturn the established Government: Nay, I'll defy any Man to show, that the Council, or General Assembly, of any Nation, ever acted in this Manner, but where a Faction had resolved to usurp the whole Authority and Power over that Nation.

"I had Reasons why I would not then take notice of those insolent Representations, as would have become me; but now that those Reasons are removed, and on this Occasion, when I have Reason to believe the like Insolence was intended, I must tell you, that you therein not only forgot all Kind of Decency or Respect, to the Authority which his Majesty has been pleased to intrust me with over this Province, (not to mention the Regard which every Man of any tolerable Manners, must think due to the Family where I had my Birth) but you thereby endeavoured to make me lose all Esteem among the People, and to render it as far as in your Power, impracticable to do that Service which is required of me in opposing the Enemy. I further say, that without any Regard to Truth, you therein boldly asserted several Things, which, from the Minutes of your Proceedings, can be proved that you know to be false; and, in order to excuse yourselves with the People, for denying me the necessary Supplies for carrying on the War against the Enemy, and for defence of this Province, you endeavour to infuse into the Minds of the People, that I converted the publick Money to my private Use; but what little Pretence you had for this imprudent Assertion, may appear to Strangers as well as to those better acquainted with the Affairs of this Government, when it is made known to them, that all the publick Money of this Province, that came in any Manner into my Hands, in four Years since my Arrival in this Place, to be disposed of by me for his Majesty's Service, or the Service of this Province, did not in the Whole, amount to little more than, *One Thousand Eight Hundred Pounds*, this Currency, for the Use of the five Nations of *Indians*, and other *Indians* tributary to them, when I met them at *Albany*, and who were more numerous there than on such usual Occasions of meeting them.

"Now, let any Man but consider, what the Province could suffer, by the most sinister Management on these Occasions, when the *Indians* were maintained out of that Money, all the

Time they were at *Albany*, publick Presents were given to all the Nations then there, and private Presents, as is well known, were likewise made out of it, to the Sachems of every Nation, and a considerable one to the *Senekas*, for their Claim to *Oswego*, which had been promised them by my Predecessors, but never performed; and the *Indians* were out of the same Money, transported in Waggons from *Schenectady*, 16 Miles, to *Albany*, and from *Albany*, back again to *Schenectady*, with Provisions for their Journey. Now suppose what you please to have been saved by the most sinister Means; nay, suppose that all the Money which came into my Hands, had been converted to my private Use; could this justify your Proceeding, which by your Commissioners with-holding the Provisions for the Forces, and your justifying them in so doing, and refusing the other necessary Supplies, you did as much as in your Power, prevent my doing that Service which I concerted, determined, and was about to have done, for Annoyance of the Enemy, and Protection of the People of this Province; I say, supposing what you insinuated had been true, this never could have justified you, in your past and present Conduct; but I assert your Insinuations are false, and which I shall make appear whenever that Point shall properly come in Question. Had the saving of the Country's Money been truly the Design, you would have in the first Place, privately acquainted me with any Information you had on that Head, and if I could not have satisfied you, you might applied in some Manner to the King for Redress, which would have shewn at the same Time, the Regard you had for his Authority, in the Character of his Governor. But to put it out of Question, that the saving of Money to the People you represent, was no Part of your View; I need only observe, that since I had the Administration of this Government, above *Sixty Thousand Pounds*, has been put into the Hands of Commissioners, named by you, and none of them have been to my Knowledge, called to Account by you to this Day; is it because all Men in this Province, excepting your Governor, are uncapable of turning any Part of the publick Money to their private Use, or because all of them were either of your own Number, or near Relations to some of you, or in special Friendship with the leading Men among you.

"But the Spirit of those Representations, become still more evident, by the Malice which appears in them, against those, who in any Manner endeavoured to support me in my Administration, when you took upon you to judge of their Hearts, without assigning one single Act, to support the heavy Calumnies you endeavoured to throw upon them, and that in a Manner, that every Man who has the least Sense of Honour, would be ashamed of in private Life, but much more unbecoming the Character of the Representatives of a People, who have any Sense of moral Honesty. But this will be so far from doing an Injury to these Persons Characters, that you establish their good Character, when, after you shew so great an Inclination to discover Faults and Blemishes, you have not been able to point out one.

"I must, before I leave this Subject, take Notice of your refusing to supply the Independent Companies of the King's Troops with Provisions, who are posted at *Albany*, in your Defence; It is well known, that these Troops cannot at this Time, subsist there on their Pay, as they have no Means of supporting themselves otherwise when from Duty, or if they could support themselves, is it reasonable to think they could be satisfied to serve for Pay alone, when the new Levies in their Sight, have as good Pay and Provisions; besides, this Refusal can have no other Tendency, but that of the Dissolution of those Troops, and for whatever Reasons you may desire this, it is my Duty to prevent it, and therefore, if these Troops be not there furnished with Provisions by you, I must withdraw them all into some other Parts of the Province where they can subsist.

"Now, Gentlemen, reflect from whence this so long continued, unbecoming Conduct to your King and Country, can arise; it seems to me, that it can arise from no other but one or more of the following Motives.

"A firm Principle of Disloyalty, that you would endeavour by all Means in your Power, to deliver up the Country to the King's Enemies; or

"In Favour of that shameful Neutrality, which it is generally believed, some in this Province, have endeavoured to establish between this Province and *Canada*, at this Time, such as was established in the War in Queen *Anne's* Reign, by which the *French* in *Canada*, gained great Advantages over the neighbouring Colonies, to the Prejudice of the common Interest of the Nation.

"A Design to overturn the present Constitution of the Government, by thus throwing the Administration into Confusion. Or,

"*Lastly*, to satisfy the pride and private Malice and Rancour of a few Men, at the Hazard of the Lives and Estates of your Constituents; that such there are in this Country, is no secret, nor what Share they have in your private Consultations.

"*Gentlemen*,

"I have again and again, when you had fallen into unreasonable Heats and Passions, so as to break out into indecent Expressions and undutiful Behaviour, adjourned or prorogued your House, that you might have Time to cool, and to give you what Example I could, in preventing the renewal of any past Differences; you cannot find one Instance, wherein at the opening of any Session, I seemed to have any Remembrance of any Differences which had appeared in the preceding Sessions; your Behaviour has been quite otherwise; you omitted no Opportunity to renew Differences, and often to lug them in Head and Shoulders; this among many other Things, will evidently shew, whether you or I have had the Safety of the People of this Province most at Heart, in this Time of Danger. And now, Gentlemen, when you have Reason to expect a proper Resentment from me, I will disappoint you once more: All these Aspersions you have endeavoured to throw on me, cannot hurt my Character, with those whose Esteem I value; and you are not capable of making a proper Reparation, for the Injuries you have attempted to do.

"And therefore, I shall again recommend to you, to make the necessary Supplies for the Security of the Frontiers, and for preserving the Fidelity of the *Indians*, and their Encouragement in prosecuting the War against the *French*, as I did by my Message at the Opening of this Session, and that you dispatch this Affair without Delay, by not intermixing any other Business that can be as well done afterwards as now, till all that is necessary be compleated, by these Bills being passed your House; because no Man can tell, what Inconveniences may arise, or what Mischiefs may happen every Day to the Inhabitants on the Frontiers.

"I am well assured, that the Governor of *Canada*, has too good Information of what passes in this Province; these open and publick Differences among ourselves, may encourage him to make Attempts, which otherwise, he never would have thought of.

"And that I may as much as in my Power, prevent any Delay which may arise from Misunderstanding or otherwise, I now tell you, that I will not give my Assent to any Bill, in which the Issuing or Disposition of the publick Money is directed otherwise, than as his Majesty's Commission and Instructions to me direct, or which shall lay any Limitations or Clogs on his Majesty's Authority, with Respect to the Disposition or Command of the Forces,

or which in any Sense may lessen his Majesty's Authority in my Hands, with Respect to military Affairs.

"If you make any Thing contrary to his Majesty's Commission or Instructions, a Condition of your granting the necessary Supplies for the Safety of the People of this Province, I now tell you, that it will be trifling with the Lives and Estates of your Constituents, by exposing them in this Time of Danger, without Relief; for I never will yield to it: The ill Effects of the Condescentions of the Governors of this Province, are now too sensibly felt, to continue any Thing of that Method; but at the same Time, none of you shall be more desirous than I I am, that the publick Money be disposed of in the most proper and frugal Manner, and that you be fully satisfied by all reasonable Methods, consistent with that Constitution of Government which his Majesty has established in this Province, that it has been applied to the Uses for which it is granted.

"Fort George, October 13, 1747. G. Clinton."

Having now opened to your Lord^{pps} view, what has been the situation of the province for some time, with respect to the two essencial Articles of Govern^{t}, the prerogative of the Crown and the proceedings of the Assembly, we shall proceed to place before Your Lord^{pps} another great and equally dangerous evil, arising from the distracted State of affairs in which this valuable Province has thus long been involved, and that is the very bad and almost destructive effect it has had upon the general disposition and ancient friendship of the Six Indian Nations, who are seated on the back of it, and whose attachment to the British Interest chiefly depends upon their temper towards the Govern^{t} of New York, and the benefits and protection they find in their alliance with it.

The great Advantages which the experience of many years, had given us reason to hope for, from the Assistance of this powerful and warlike body of people in the time of the late war, were prevented, by their having been left exposed to the cruel Ravages and Incursions of a merciless Enemy, by the want of that protection, which, tho' often promised them, was as often neglected to be provided for, and their friendship was also a second time endangered, and almost entirely lost, by their not receiving their usual supply of presents at the regular and stated times; these unhappy effects may indeed be in some degree, attributed to the disappointment they met with, from the expedition against Canada not taking place after they had been prevailed upon to take up the Hatchet in this service; yet, the finding themselves at the same time neglected by those people, to whom their Friendship and alliance had been, on every occasion of danger and distress, so particularly serviceable, must doubtless have been a great additional shock to them, and greatly contributed to make them, in their own minds, either deny the Power or distrust the sincerity and good will of great Brittain.

Nor were any steps taken for two years after the peace for regaining the affections of these people, by making them the usual presents upon that occasion, and should such a cessation of all Govern^{t} in the province, as has for two years continued, ever again be repeated, The Six Nations of Indians, always the most constant and best allies of the British Interest in America, will be entirely alienated from us, and driven to seek a connection with the French, who, availing themselves of our neglect, daily strengthen themselves, by artfully turning all such Indians against us, as are not directly our allies, and disturbing such as are.

Thus, My Lords, have we thrown together, whatever we thought may tend to give your Lord^{pps} a just idea of the melancholy State of the affairs of this distracted province, so capable

of being made by good Govern^{t} and general tranquility one of the most flourishing and advantageous of His Maj$^{ty's}$ American Colonies; and these, My Lords, are the steps and fatal measures, by which the legal prerogative of the Crown, (which alone can keep this or any Province dependent on the Mother Country) has been reduced, the most essencial powers of Govern^{t} violently wrested out of the hands of the Governor, the province in time of war left exposed, the Six Indian Nations disgusted, the whole support of Govern^{t}, for above two years entirely omitted and refused, and every thing which the Crown has a right to demand, or the Province for their own sakes, in interest oblige to provide, has been denied merely in resentment from personal quarrels, and on account of differences between the Gov^{r} and some members of the Council and Assembly.

Your Lord^{pps} have desired us to propose remedies for these grievances, and therefore we will proceed to offer to your consideration what we imagine will be necessary and most likely to re-establish a good agreement between the Gov^{r} and the Council and Assembly, to restore the prerogative to its just and legal boundaries, put the affairs of Govern^{t} once more into a proper course of Administration, recover the fidelity of the Indians, and guard against a return of these several mischiefs hereafter.

Unhappily divided as the parts of the Legislature of this Province are, old and inveterate as the personal dislikes and animosities are, which prevail among particular & considerable Members in every branch of it, fortified as the Enemies to the present Gov^{r} and Govern^{t} in it are by the several essencial and repeated departures from the prerogative, and necessary as well as just powers of the Crown, We submit it to Your Lord^{pps} whether it be possible, distracted as affaires and heated as men now are, to strike out any method of reestablishing the former, or reconciling the latter. Mr Clinton endeavoured at the end of the late War, to recover from the Assembly the encroachments they had made upon the Crown; the Assembly refused to restore the powers they had usurped. This opposition brought the matter to an issue, and the Assembly shewed by the event, that no arguments which the Gov^{r} could urge, nor any disadvantage which could follow to themselves, even from a total cessation of Govern^{t}. was sufficient to induce them to depart from those usurpations, which we have stated above, and which in the beginning of M^{r} Clinton's Administration had, as they urged, his consent at least, if not his approbation. If a new Gov^{r} should be hereafter appointed, sent over under new, and, if it be thought proper, still stricter Commission and Instructions, and with positive directions to get the prerogative restored in these very particulars, it is to be hoped, for the Interest which his Maj^{ty} has in this one of his most considerable provinces in America, and for the future happier administration of it, that such a Gov^{r} not having the prejudices of particular people nor the spirit of irritated parties to contend against, would be able to reunite the Assembly, and prevail upon all Men to assist in reestablishing the proper and ancient Constitution of Govern^{t}. As this is a work, which can not be performed but by the united consent of the whole Legislature, it probably never can be obtained, while the several parts of that Legislature continue at the greatest Enmity. The likeliest season therefore for doing it, must be, when the Temper of people is calm, and their present mutual passion is over; and we submit it to your Lord^{pps} with great deference, whether in the first instance the executive part of this Govern^{t} or the common harmony of it can ever be retrieved, but by reinstating in the Gov^{r} his original and necessary powers. Whether in the second place, the Assembly of this province will ever be induced thus to give up all the result of so long contest and their acquisitions by it, but in a time of general satisfaction, and when private and personal quarrels

are at an end; and in the last place whether that general satisfaction, is ever so likely to be found, as at the occasion of a new Gov^{r}, unopposed by any set of Men upon personal dislike, capable of great influence from his Station and deserving of it from his character. This seems to us, the only time, in which, such an alteration can be brought about, because it can not be done but by the approbation of the Legislature, which must be greatly reconciled to the Govern^{t} there, before they will concur in such a method of giving it permanent strength and support. The Commission and Instructions of such a Gov^{r} might be framed upon a plan suited to the circumstances of the Province, and the services to be required of him, and, if your Lord^{pps} should think it proper, further methods might be thought of, for enforcing his obedience to the spirit and letter of them. It may be truly said in general, that the same methods, which shall be thought likely to regain the powers which have been wrested from the prerogative of the Crown, and to reestablish a good agreement between the Gov^{r} and the Council, and Assembly, will be also the most effectual for preserving that prerogative when thus restored, and this good agreement, when it has been again reestablished; but, we can not help suggesting it to Your Lord^{pps}, whether it would not be a great additional means of guarding ags^{t} any future Divisions, and of putting the Administration of Govern^{t} into an amicable and certain course of execution by entirely removing most of the sources of the late differences, if the Council and Assembly could be prevailed upon to pass a general perpetual Revenue Act, upon the plan of that which has been passed in Jamaica, by which Act a standing Revenue is given to his Maj^{ty}, and provision made for the several expences of the Govern^{t} out of duties raised by the Act itself. Should such an Act be passed, the salaries of Officers, the fund for the payment of them, the maintenance of the Fortifications, the trusts and powers reposed in particular Officers, the charge of presents to the Indians, the salary of the Gov^{r} in one word every necessary measure of Govern^{t} would be lastingly provided for, the several points of Domestic Govern^{t} now so often disputed as factions rise and gain strength, would be finally decided by the legislature and the several powers legally belonging to the Gov^{r} and requisite for his supporting his character would be by a law of the province put out of dispute, and all the claims of present factions against the prerogative of the Crown would be by a perpetual Act of the Legislature itself ascertained, Civil Officers, who by the nature of their Trusts and Offices, and for the Right Administration of those trusts, ought at least to be independent of any body of Men, would be no longer obliged to fall in with any discontented party of Men in the Assembly, to secure a subsistance, nor would the Assembly have it any longer in their power, to make the Offices of their friends and of Officers they dislike, as large and inconsiderable as they please; and we submit it to Your Lord^{pps} whether if the foundation of Govern^{t} and the just powers of the Gov^{r} were thus by a declaratory Law established, and all the charge and services of Govern^{t}, which are ever neglected and sometimes totally omitted when warm opposition is formed, were thus perpetually provided for, Men of factious tempers and views would not, on the one hand, lose their chief motive for faction, and the province on the other be secured against the many ill effects it has of late years suffered from it, even tho' such opposition to Govern^{t} should again be formed and obstinately carried on. As soon as an Act of this sort has been passed, individuals, from any cause dissatisfied, will have few temptations to distress Govern^{t}, the Gov^{r} will have all proper powers for supporting it permanently vested in him, and the Province itself will be in the mean time defrayed in its expences, conducted and defended by the common operation of such a perpetual Act of Revenue as we are recommending, and has been wisely and happily, both, for that Island and the Mother Country, enacted in Jamaica.

With respect to the Six Nations, we have the pleasure to inform your Lordpps, that we have lately received a letter from Coll: Johnson Commissary of New York for Indian Affairs, a very diligent, honest, and able Officer, informing us that he has lately held a meeting with them, in which he had the satisfaction to undeceive them in several essential particulars, and to draw from them the strongest proffessions of future steadiness and attachment to the British Interest, and to renew the usual treaty of strict alliance with them, so, that the very ill effects of past neglects and their late disgusts, too justly conceived, are we hope, in a way of being perfectly removed; but neither in this nor any circumstance, can the Interest of Great Brittain, in what relates to New York or these Indian Allies of it, be permanently or effectually removed or guarded against, unless the peace of that province be restored, the foundation of the Govern[t] better established, and by that establishment all the evils that have lately happened be entirely stopped and prevented in their very source and origin. We must also inform your Lordpps, that M[r] Clinton has within a very few days acquainted us, that the Govern[t] of New York, having made provision for presents for the Six Nations of Indians, he has invited them to a Treaty at Albany in June next, and that he has upon this occasion desired the Gov[rs] of all His Majesty's provinces in America to meet them there, in order to distribute the presents of the several Govern[ts], establish an Union of Councils, prepare a State of Indian Affairs for His Maj[ty's] consideration, & concert measures for the future management of them, and in one word to effectually unite all the Indian Nations in alliance with us in one common friendship and attachment to the British Interest. This plan, is certainly, a very wise one, and, if it be successful, will greatly contribute to strengthen the security of His Maj[ty's] American Provinces, and will do great honour to the Govern[rs] concerned in the accomplishment of it.

And we submit it to your Lordpps, whether it would not be a means of preventing the inconveniencies we have before stated, and of securing these presents from New York being punctually made hereafter, if a certain sum could be raised by the General Act of supply, proposed as above, for this pupose, and the expence of presents to the Indians be put upon a footing with the other annual charges of Govern[t], and be defrayed like those, out, of the general fund annually raised for the current Charges of the province. No service better deserves such a lasting provision; none more deserves to be reckoned among the necessary interests of the Province, and such an attention and habitual expence would certainly succeed in fixing these Nations.

Your Lordpps will observe, that by the last letters from M[r] Clinton, dated the 2[d] December 1750. which are transmitted with this State, he informs us, that he has called an Assembly, and that they have voted a supply for the charges of Govern[t]; but, my Lords, they have passed these Acts of supply in the same improper manner, and with the same usurpations on the Prerogative, and liable to every objection, which induced M[r] Clinton in the year 1748. to dissolve the Assembly, and leave the Province without support rather than in time of peace, give his consent and sanction to such destructive encroachments upon the legal and just prerogative of the Crown; so that the State of the province, as to what has caused the calamities they have suffered continues the same; tho' the Assembly have agreed to make some provision for the charges of Govern[t], their usurpations on the prerogative are rather confirmed than regained by this last meeting, and as great a necessity as ever remains for the Councils of this Kingdom to interpose and take some measures, for the better settlement of this most valuable and divided province.

We have now, My Lords, within as little compass and with as much clearness as we could, submitted to your Lord^{pps} a full and impartial representation of the present state of New York, together with what we think, with great deference to your Lord^{pps}, are the likeliest measures, if they can be attained, to remove the many evils and Misfortunes under which this very important but distracted province has now for so long laboured; in doing which we hope we have represented facts clearly, proposed remedies not improper, and answered the intention of your Lord^{pps} reference. We are,

My Lords,

Your Lord^{pps} most obedient and most humble servants.

DUNK HALIFAX
J. GRENVILLE.
DUPPLIN.
FRAN: FANE.
CHARLES TOWNSHEND.

Whitehall
April 2, 1751.

Abstract of the Evidence in the Books of the Lords of Trade relating to New-York.

[New-York Entries, B. N., p. 174.]

An Abstract of the evidence in the Office Books of the Lords Commiss^{rs} for Trade and Plantations relating to the state of New York.

On the 20th of September 1743. M^{r} Clinton arrived in New York, and the Assembly being sitting, he with the advice of the Council, and as usual upon a publication of a new Commission, dissolved the Assembly then in being, and immediately called a New one.

In October following having received a letter from M^{r} Stone, Secretary to the Lords Justices, signifying their commands, that he should use the most effectual means to put the Colony in a good state of defence, in case of a Rupture with France, he after consulting the Council gave orders for augmenting the Garrison at Oswego with a Corporal and nine Men, and wrote to the Commissioners for Indian Affairs to contract with proper persons for supplying them with provisions till the spring, and transporting them to the said place. He likewise directed them to employ scouts to watch the motions of the French, and give early intelligence of what they might be doing. He also gave orders for putting the Militia of Albany in good order, and that the commanding Officer should keep watch upon the Frontiers and in case of any notice of the French approaching should assemble the said Militia, and March to the Assistance of Oswego.

On the 8th of November 1743. the New Assembly met, and the Gov^{r} in his speech made to them upon that occasion, recommended to them to consider of further means for putting the Prov^{ce} into a State of defence; and acquainted them, that he had intentions of renewing a Treaty with the Indians. The Assembly in their address in answer to this speech acquainted M^{r} Clinton, that they should have a due regard to the matters recommended by him.

This session, which continued to the 17th of December following, was spent in preparing such Bills as were thought necessary for the publick service; and on the 1st and 17th of December 1743. the following Acts were passed:

"An Act, for the further continuance of an Act, entitled: an Act for and towards supporting "the Govern^{t} of this Colony, by granting to His Maj^{ty} the duties therein mentioned"

"An Act, further to fortify the City of Albany and Town of Schenegtade, and for raising the "sum of £450. to defray the expence thereof."

"An Act, for payment of the salaries, services and contingencies therein mentioned out of "the funds appropriated for the support of Govern^{t}."

Which Acts, M^{r} Clinton, in his letter to the Board of Trade dated 5 June 1744. desires them to lay before his Maj^{ty} for his Royal approbation.

By these Acts the support of Govern^{t} was limited to one year, and the particular salaries affixed to each Officer by name and not to the Office, whereby not only the disposal of public money is placed in the hands of the Assembly, but also the nomination of Officers, and the assertaining their salaries, and it is worthy notice, that in the last of these Acts, there is over and above M^{r} Clinton's salary as Governor an allowance to him of £1000, as a reward for his solicitation in behalf of the province, and for the expence and loss of time occasioned thereby; M^{r} Clinton indeed appears to have been very sollicitous, that these Acts should have His Maj$^{ty's}$ confirmation; but as in his subsequent letter to the Board, he has been very full in his remarks and complaints of the Mischiefs and inconveniencies, which have arisen to his Govern^{t} from them, it may be necessary in this place to state, what appears to have been the usage and custom heretofore, as to the methods of granting money for the support of Govern^{t} in this Province.

M^{r} Clarke in a speech made by him to the Assembly of New York on the passing Money Bills in the time of his Administration, asserts that soon after the Revolution a Revenue was granted to His Maj^{ty} for support of Govern^{t} for a Term of years, conformable to the method of Parliament in England; and that the King's prerogative to nominate Officers for the management of that Revenue was never disputed; that the Assembly, however, grown wanton with prosperity, not long after demanded the Nomination of a Treasurer, yet contented themselves at first with only insisting upon it for the management of Money granted on extraordinary occasions.

That being indulged in this, they were afterwards led to insist upon having the Revenue for the usual support of Govern^{t}, likewise put into his hands, which before had been solely managed by His Maj$^{ty's}$ Receiver General.

It does not appear however from any of the Acts for the support of Govern^{t} previous to the year 1737., that the Assembly took upon them the disposal of the publick money, but left that power in the hands of the Gov^{r} and Council, conformable to the directions of the King's Commission and Instructions.

During the Administration of the Gov^{rs} Hunter, Burnet, Montgomerie and Cosby containing a space of about 28. years, the Acts for support of Govern^{t} were made to continne generally for five years, and there was one general appropriation of the money to that purpose, without any partial application of it to the payment of particular salarys or services; the Treasurer and members of the Assembly only excepted. But at the commencement of M^{r} Clarke's administration in the year 1737. the Assembly limited the support of Govern^{t} to one year, & by a partial application of the money to the payment of particular services, and salarys to the Officers of Govern^{t} by them usurped, not only the disposal of it, but also the nomination of those Officers.

Mr Clarke did indeed represent at home in very strong terms, against the proceeding of the Assembly, with the reasons of his complyance at that time; as the Assembly at Mr Clinton's coming to the Administration were unwilling to drop a priviledge, the benefit of which they had enjoyed so long, they, as has been already observed, in the first money Bills, they passed, made him a present of £1000, which was no doubt given with a manifest intention, to influence him to give his assent to it in this irregular way.

Whether Mr Clinton was influenced by this, or whether his inexperience in affairs of civil Govern[t] was the occasion of passing over such an encroachment upon the Crowns authority, is submitted to judgement; but certain it is, that his acquiescing with this measure in the first instance laid the foundation of the many subsequent attacks upon the Crown's prerogative, which he afterwards so loudly complains off, and which are particularly stated in that narrative, the thread of which it will now be proper to resume.

On the 17[th] of April 1744. the New Assembly met according to adjournment; Mr Clinton in his speech strongly recommended the consideration of what might be wanting to compleat the Fortifications of the City of New York, and those of the County of Albany, adding strength to the Garrison of Oswego, and making provision for the additional Men he had ordered to be sent thither. Upon which the Assembly addressed the Gov[r] to direct the Commiss[rs] for Indian Affairs to transport warlike stores of Cannon and Powder to the several Forts in the Indian Country, assured him that they would make effectual provision for that expence; and on the 5[th] of May they voted several sums of money for building a house for the residence of the Gov[r], and for repairing & compleating the Fortifications and other works necessary for the security of the province.

Upon notice of the War being declared, Mr Clinton sent them a Message on the 17[th] of May, repeating the former recommendation of providing for the security of the Province, and proposed the sending an additional Serjeant, Corporal and ten private Men to Oswego; he also exhorted them to make some provision for securing the fidelity of the Five Nations from contingencies which would arise in time of war, and to compleat the Fortifications of the City of New York.

Upon the receipt of this Message, the Assembly came to a resolution to make provision for any additional strength the Gov[r] should send to Oswego, but to defer the consideration of the other matters recommended by the said Message, till their next meeting; upon this resolution the Gov[r] sent a second Message to them, representing the necessity of making provision for the several services he had recommended to them; to which Message, they returned no answer, but were adjourned to the third Tuesday in July following, Mr Clinton having first given his assent to an Act for repairing and compleating the Fortifications, and other works necessary for the security of the Prov[ce]—

By this Act, Commiss[rs] are appointed for the services therein mentioned, to whom the money to be raised is directed to be paid without Warr[t] from the Gov[r] and Council, and the several sums and services are also specified in the Act.

Mr Clinton, however, sent up Cannon and Amunition to Oswego, and a reinforcement of Soldiers, and a Detachment to Saraktoga. He likewise sent an Interpreter to Oswego, and six Indians to serve as Scouts, directed two Indians of each of the Six Nations to be taken into pay to reside at Oswego for its defence, and advanced £50 to the commanding Officer for presents to the Indians and other incidents.

Soon after this Mr Clinton went up to Albany to an Interview with the Five nations, and on his way thither, received the declaration of War against France, which he published at the head of the Militia in Albany, where he also renewed a Treaty of peace and alliance with the Five Nations.

At this Interview he was met by Commissrs from the Massachusets Bay and Connecticut, who came to treat with the Indians; The Commissrs for the Massachusets had also a Commission to treat with Mr Clinton in conjunction with the Colonies of New Hampshire, Connecticut and Rhode Island about measures for sending proper number of Forces into Canada to distress the French in their settlements.

Upon his return from Albany, he called together the Assembly, and recommended it to them to provide for the safety of the province, for the services he had before urged, and for others which he had done upon their credit for the charges of Commissrs to be appointed to treat with the Neighbouring Governts upon the aforementioned proposals, and for repairing and compleating the Fortifications of the City of New York. He likewise proposed the building strong Forts near Crown Point and at Tierundequet, and maintaining strong Garrisons in them; that a Battery should be erected on Nassau Island. He acquainted them, that he had ordered the Commissrs for Indian Affairs to agree with an Officer and ten Men to serve as out-Scouts towards Crown Point, and that the said Commissrs had given it as their opinion, that 39 Men and two Officers with ten Indians, would best be employed in that service in the County of Albany, for which he desired them to make provision.

On the 24th of August the Assembly came to several Resolutions of Allowances for repairing the Fortifications of New York, and erecting the Batteries, recommended by the Govr, but upon a motion made, that the South East Bastion of Fort George should be repaired, it passed in the negative. They at the same time voted £28. 6s 8d for the out-scouts the Govr had appointed £300 for out-scouts for one year, and other allowances for services performed at Oswego & Saraktoga. They likewise addressed the Governor to order 50 of the Albany Militia to go up to Oswego with a supply of provisions & amunition, and to order such further force hither, in case it should be attacked, as he should think proper, and they would make provision for the same

An act was also passed for supporting the Garrison and Trading house at Oswego.

On the 18th of Septr 1744. the Govr sent a message recommending it to them, to enable him to appoint Commissioners to treat with those of the Neighbouring Colonies, touching the conduct of the War; whereupon they came to a resolution, that it would be imprudent in them to engage in any Scheme before a plan of it, was imparted to them.

On the 21st of Septr the Govr gave his assent to the following Acts: vizt:

"An Act for regulating the Militia"

"An Act for raising £3200 for putting the Province in a posture of defence"

"An Act for raising £300. for finishing and compleating the Fortifications in the City "of Albany"

"An Act, further to continue an Act for and towards supporting the Governt, by granting to "His Majty the duties therein mentioned, from 1st December 1740 to 1st Decr 1741."

"An Act for paying out of the funds appropriated for the support of Governt the Salaries "and services therein mentioned."

In this last mentioned Act the Assembly made provision for presents for the Indians, as well as for an interpreter and Missionary to be sent amongst them, following the same rule in the appropriation of the money as in the Acts for the same purposses passed the preceeding year.

By the Act for raising £3200, Commiss^{rs} are also appointed for the services provided for thereby, and the sums specified are directed to be paid to them without any warrant from the Gov^{r} and Council.

M^{r} Clinton in his letter to the Board, dated the 9th of October 1744. represents, that the Assembly were very backward in their deliberations, and that it was with the utmost difficulty he brought them to any tolerable resolution for the public service. That the Council, however, had with great zeal concurred with him in every measure for the good of the province, and to bring the Assembly to a better temper.

On the 12th of March 1744. Mr Clinton recommended it to the Assembly to make provision for assisting in the expedition to Louisbourg, for fitting out a sloop of War, for the defence of the Colony, for building two Forts upon the Frontiers, for frequent interview with the Indians, for sending 50 of the Militia to Oswego, and victualing a detachment of the King's Troops, and making Reparations of that Fort, for contingencies and extraordinary services of Govern^{t}, for enabling him to appoint Commiss^{rs} to treat with the neighbouring Govern^{ts} about the conduct of the War; and he also represented the necessity of appointing an Agent, for transacting publick affairs in Great Brittain.

On the next day 13. March 1744. the Speaker of the Assembly, acquainted the house, that a Bill had been preferred to the House of Commons in Great Brittain, to prevent the issuing of paper money in America; he observed to them, that this Bill if passed into a Law, would greatly affect that Colony in particular, and that as to the last clauses, they were foreign to the Title and scope of the Bill, contrary to the Constitution of Great Brittain, and would in effect subject all the British Colonies in America to the absolute Will of the Crown, and of those Acting under its authority.

On the 15th of March the Assembly took this Bill into consideration, together with the Report of a Committee, to whose consideration it had been referred, wherein it is observed, that this Bill would Establish such an absolute power of the Crown in the Plantations, as would be inconsistent with the Liberties and Priviledges inherent in an Englishman, while he is in a British Dominion.

On the 27th of March 1745. the Assembly came to a Resolution to discharge half the Garrison of the Fort at Oswego, which induced the Governor to send a Message to them on the 29th, representing the mischiefs likely to attend such a reduction, and that it was the opinion of His Maj$^{ty's}$ Council, that in the present dangerous situation of affairs, the Garrison ought not to be diminished.

The Gov^{r} at the same time laid before the Council several letters, which he had received from the Frontiers, representing the apprehensions they were under of an attack from the French, and the necessity of an additional Force for their security.

On the 4th of April 1745. a motion was made for fitting out a Colony Guard vessel, which was carried in the negative.

On the 9th of April the Assembly took the Gov^{rs} speech of the 12th of March into consideration, and voted £3000 for the Louisbourg expedition, but a motion being made, to enable the Gov^{r} to appoint Commiss^{rs} to treat with those of the neighbouring Govern^{ts} concerning the conduct of the war, it was carried in the negative. They voted however the continuance of the Garrison at Oswego, and made provision for repairing the other Forts upon the Frontiers, for making presents to the Indians and £100. for contingencies of Govern^{t}.

On the 17th of April 1745. the Gov^{r} acquainted the Assembly by Message, that a French Fleet of considerable Force, was arrived in the West Indies, and represented to them the

necessity of erecting Fortifications, he likewise laid before them, the examination of John Lydius, relating to the designs of the French, and the danger of a defection of the Six Nations, and on the 11th of May the Assembly came to several Resolutions for fortifying the Province.

On the 14th of May 1745. the Govr acquainted the Council, that he had by their advice sent a Petition of the Inhabitants of the Frontiers, setting Forth their apprehensions of a defection of the Indians to the Assembly, who had taken no notice of it, but only sent him an answer by their Clerk; that they had slighted many things he had recommended to them for the benefit of the Colony, had ordered the building of Batteries, appointed Commissrs, disposed of the Colony Powder, and other things, without so much as consultiug him; that they had slighted his Majtys orders, & made many misrepresentations in their votes, for which reasons he thought it proper to dissolve them, which he did accordingly with the advice of Council on the same day; and at the same time he warmly reproved them for their neglect of the several points, he had so often and so earnestly recommended to their consideration. But took notice, that they had adventured to take upon them, the assignment of places, for erecting Batteries, to direct the number of guns to be placed upon them, and to order the issuing out the publick gunpowder, & without consulting him in either respect, which was in effect assuming the Administration of Governt and wresting the King's authority out of the hands of his Govr, and that thro' an invincible untowardness and an inordinate thirst of power, they were become a dead weight against the other branches of the Legislature.

There were four Acts passed in this session, which the Govr has neglected to transmit, but if a judgment may be formed from the titles of them, they relate only to the private œconomy of the Province.

Upon the meeting of the new Assembly, on the 25th of June 1745. The Govr, in his speech recommended Batteries at New York, the building two Forts in the Indian Country, maintaining out scouts, and taking necessary measures to preserve the Indians in their dependance on the British Interest, as also the sending a reinforcement to the Garrison at Louisbourg; at the same time, he laid before the house a letter from the Duke of Newcastle, and one from Mr Shirley, pressing that such assistance might be sent from New York.

The Assembly in their Address in Answer to this speech, acquainted the Govr, that they should with the greatest attention and dispatch apply themselves to the consideration of the several particulars recommended to them, and that nothing should be wanting on this part to cultivate and improve that good understanding, which ought to subsist, between the different branches of the Legislature, and accordingly in a few days after they came to several resolutions; vizt

To allow £5000 for the Louisbourg expedition, to make provision for the continuance of a Garrison at Oswego, for repairs of the Forts upon the Frontiers, for compleating the Fortifications at New York, and for allowing £100 for contingencies of Governt; but agreed to referr the consideration of the Forts, Out scouts, and what related to the Indians, to their next meeting.

On the 6th of July 1745. the Assembly were adjourned to the August following, and the Govr gave his assent to the following Acts:

"An Act for the paying of £5000 towards carrying on the expedition against Cape Breton."

"An Act for erecting and repairing Fortifications within this Colony, for defraying the charge "of several services, for the defence and security of the same, and other purposes therein "mentioned"—

"An Act for paying £1511. for the service of the Colony"

By the second of these Acts it is directed, what sums shall be paid, and to whom, and that the receipts of the several persons shall be a discharge to the Treasurer; whereby the disposal of publick money is vested in the Assembly, contrary to His Majᵗʸ's Commission & Instructions; and 'tis likewise directed by this Act, what quantities of gunpowder shall be issued out of the publick stores, and for what services. The last of these Acts is liable to the same objections.

Mʳ Clinton in his letter to the Board, dated the 25ᵗʰ of July 1745. represents, that the Assembly had come to no determination as to their quota of Assistance for Louisbourg expedition; that the French had lately caused a great commotion among the Indians, by endeavouring to make them believe, that the English had a design to cut them off; that two of the principal Nations were formed into a body to destroy our settlements, and that we should have lost our Indians, had not the Commissʳˢ for Indian affairs been very diligent to quell that Report; that the French had increased their settlements, by which means and by having 2 or 3 vessels on the Lake Cadaraque, they had almost engrossed the Indian Trade. And, that by erecting Forts and trading houses all along the Lake in the Senekes Country (contrary to the faith of Treaties) they daily gained too great an influence over the Indians dependant on the English. To prevent these encroachments, he proposes to Fortify a harbour on the Lake Cadaraque, to build a few Vessels of superior strength, to settle regular Troops in that Country, and to have an Engineer appointed for building and repairing such Forts as might be necessary. He likewise acquaints the Board, that the French intended an expedition against the English settlements, and sends an account of the number of regular Troops and Militia posted at their several settlements in Canada.

In another letter of the same date he acquaints the Board with what the Assembly had done for the Expedition against Louisbourg; but that they had neglected to make provision for an annual interview with the Indians, which was the more necessary, as they begun to be wavering in their attachments, and as the French Indians had commenced hostilities upon the Frontiers; he also urged the necessity of having an Engineer sent from Great Brittain for the repair of the Fortifications, which was communicated by this Board to His Majᵗʸ's Secretary of State.

On the 29ᵗʰ of July 1745. Mʳ Catherwood was sworn in at the Council Board, Secretary of the Colony of New York, by virtue of a Commission from Mʳ Clinton, to act in that character in the absence of the Secretary appointed by his Majesty or his Lawful deputy. At the same time Mʳ Clinton communicated to the Council several letters, which he had received from the Commissʳˢ for Indian Affairs relating to the danger there was of the Mohawks going over to the French; upon considering the whole matter the Council were of opinion, that the Govʳ should have an Interview with the Indians that Fall.

On the 6ᵗʰ of August 1745. the Assembly met according to adjournment, and Mʳ Clinton acquainted them by Message with the Hostilities committed by the French Indians, and represented to them the necessity of continuing out Scouts upon the Frontiers, the Funds for which service were now exhausted. He also laid before them the Intelligence which he had received from the Frontiers, and urged the necessity of their enabling him to hold an Interview with the Six Nations, and on the 21ˢᵗ of August 1745. the Assembly came to a resolution to allow £600, for enacting[1] the Govʳ to treat with the said Indians.

On the 23ʳᵈ the Govʳ sent a Message to the house recommending to them to pass a Law for prohibiting any Trade or Intercourse with the French Indians in time of War, and also a Law,

[1] *Sic.* enabling.— Ed.

for imposing a powder duty upon vessels agreable to the 77th Article of his Instructns But on the 28th the Assembly desired to be adjourned to October, which the Govr accordingly complied with

On the 3rd of Septr Mr Clinton communication to the Council, a declaration of War issued by the Governt of the Massachusets Bay against the French Indians, as also a letter from Coll: Stoddert, relating to the conduct of those Indians, and their practice of Trading with the people of Albany in time of War. The Council upon consideration of these papers were of opinion that from the Interview which had been held between the Six Nations of Indians and the Govr of Canada, there was great reason to apprehend, that they were prevailed upon to join in a War against the English; that it was adviseable that all His Majtys subjects in the province of New York should be prohibited to Trade with the French Indians, and that the Six Nations should be sollicited to remain Steady in the British Interest.

In the beginning of October 1745. Mr Clinton went up to Albany to hold an interview with the Six Nations, when, jointly with Commissrs from the Governts of the Massachusets Bay, Connecticut and Pennsylvania, he entered into conference with them, which ended in a Treaty, whereby the said Indians, declared, that, in case the French Indians did not make satisfaction for the hostilities committed on the Frontiers, they would upon orders from the Governt of New York readily join in the War: they likewise declared, that they were well satisfied, that the rumour spread amongst them of a design of the English to destroy them, was without foundation.

On Mr Clinton's return from Albany, he communicated this Treaty to the Council and Assembly, which met on the 28th of October according to adjournment.

In his Message to the Assembly upon this occasion, he represented to them, as a matter extreamly worthy of their most serious attention, the naked and exposed condition of the Frontiers, and acquainted them, that, as since the Treaty with the Six Nations, the French Indians had committed further hostilities, he thought it necessary to acquaint them therewith, as now the necessity of erecting Forts upon the Frontiers was the more pressing.

On the 14th and 15th of November the Assembly came to several resolutions to make provision for the publick service, and among the rest, they made provision for continuing the Garrison at Oswego, and for out scouts, but resolved to defer the consideration of building a Fort at the carrying place, until the next meeting of the House.

On the 20th Novr 1745 Mr Clinton sent a Message to the Assembly, to acquaint them that the Enemy had cut off Saraghtoga settlement upon the Northern Frontier, reproving them for their neglect of making provision for building Forts upon the Frontiers so often recommended to them, and representing to them, that as it was necessary to March Detachments of the Militia to that part of the Province which was most exposed, it was incumbent upon them to make ample provision for their subsistence and for erecting a Fort at the carrying place, as also for supplying the Indians in our Interest with Arms and Ammunition, and making good the deficiencies in the funds for supply of Governt.

In consequence of this Message the Assembly immediately voted £400, for building a Fort at the carrying place and supporting a garrison therein; they also made provision for a Detachment of the Militia and allowed £100 for contingencies.

On the 25th of November 1745. the Govr laid before the Assembly several papers, which he had received, relating to the Damages done by the Enemy at Saraghtoga and to their further proceedings. Whereupon the Assembly [came] to several Resolutions, vizt To allow rewards

for Scalps, to allow an additional sum of £200 for Scouts, and £30 for erecting a Blockhouse at Schenectade; that if the Gov^r found it necessary to send a detachment of the King's Troops, the house would make provision for their transportation and provision until they came to Albany.

On the 27^th of Nov^r, two persons deposed before the Council, that the Enemy had taken another settlement and cut off about 150 or 200 of the Militia.[1] Whereupon the Council advised the Gov^r to send for all the warriours of the Six Nations to come to Albany, and to acquaint them, that they should be supplyed with provisions, powder and Ball upon their going to war, besides a Reward for scalps & prisoners.

On the 28^th of Nov^r 1745. the Speaker of the Assembly acquainted the House, that the Gov^r had given orders for the King's Troops to march to Albany, and recommended to the House to make provision for their transportation and subsistance during their passage, and also for lodgings for the Officers during their stay there, to which the house agreed, and came to a resolution to make such provisions accordingly.

The House then came to the following Resolution viz^t

That this house will at all times chearfully concurr in every reasonable measure for our own defence, for the Assistance of our Neighbours, and to any well concerted plan, consistent with the circumstances of the Colony, for distressing and attacking the Enemy, and that this is, and ever has been the firm purpose and unanimous Resolution of this House.

M^r Clinton in a letter to the Board dated the 18^th of January following, represents, that the view of the Assembly in coming to this resolution was, to remove the complaints and odium their own people threw upon them for their neglect in raising supplies for the safety of the Province.

The Gov^r gave his assent to the following Acts, among others, and put an end to the Session by adjourning the House to the 17^th of December.

"An Act for continuing the support of Govern^t for one year."

"An Act for payment of salarys ettc"—

"An Act to farm the excise on retailed strong liquors"—

M^r Clinton in his letter of the 30^th of November 1745. acquainted the Board with his transactions at the last Interview with the Indians; that the Assembly had not given attention to what he had recommended to them, concerning the Building of Forts upon the Frontiers; that while they are at the charge of maintaining a Gov^r, it will never be otherwise. That as they are jealous of the power of the Crown, and are Levellers by principle, nothing but an Independent Gov^r could bring them to a just sence of their duty; that he was apprehensive that the money they had voted for the Louisbourg expedition would never be paid; that he was endeavouring to engage the province in a scheme for the reduction of Crown Point, and had sent up Cannon to Albany for that purpose; that the sum voted by the Assembly for building a Fort at the carrying place was very inconsiderable; that he had detached two of the King's Companies & a body of Militia to Albany, and had given orders to the Six Nations to take up the Hatchet, but that unless the Assembly would come into ways and means of joining with the other Colonies to attack the Enemy, he could not answer for the security of the Province.

[1] *November* 27, 1745. His Excellency having sent for two persons lately come to this city from the Fish Kills about 90 miles from Albany, they Report That the Enemy had taken a Settlement called Woodstock, and cut off 150 or 200 of the Militia that went to attack them. *New-York Council Minutes*, XXI., 66. — Ed.

It should be observed, that the Acts mentioned to have been passed in this session, were passed in the same irregular manner as those of the like nature were in the last, and in particular by the act for payment of salaries, the several sums are made payable to the Officers by name, and in very few instances to the Officers for the time being.

On the 4th of December 1745. the Govr communicated to the Council two letters from Coll: Schuyler, desiring 300 of the Militia might be sent up to Albany and Schenectady, & recommending the building a Fort at Saraghtoga, whereupon the Council were of opinion, that, as the Govr had sent up two Independent companies to Albany, it was not necessary to send up a Detachment of the Militia; but that a Fort ought to be immediately built at Saraghtoga, and a Stone Fort at the Carrying Place early in the spring. The Govr likewise acquainted the Council, that the Militia of New York, had refused to do duty as Centinells at his House, for which offence the Council were of opinion they ought to be fined, conformably to the Militia Act.

On the 11th of December the Govr laid before the Council several other letters, which he had received from the Frontiers, relating to the defenceless state thereof, and to the designs of the Enemy; which were referred to the consideration of a Committee consisting of the following persons: Mr Kennedy, Mr Courtland, Mr Horsmanden, Mr Chief Justice De Lancey and Mr Murray, who reported, that as to the information of the designs of the French, notice thereof be sent to the neighbouring Governts representing to them the bad consequences of the Enemy's carrying such a design into execution, exhorting them to have their forces in readiness to assist their neighbours. 2dly that as to the representation of the Commissrs for Indian Affairs of what was necessary for the Frontiers, and their desire that some of the Militia might be sent to Albany, they were of opinion, that as a Detachment of the King's Troops was already there, and the Inhabitants upon the out settlements, had retired to that place, it was unnecessary to send any of the Militia, till further advice, and in case it should be necessary to send any thither hereafter, they advised his Excellency to recommend it to the Assembly to make provision for their pay and subsistance; lastly that Major Swatwout should be commended for his diligence, and admonished to have the Militia in readiness at all events and to give the Govr early advice of the designs of the Enemy.

On the 17th of December the Assembly met according to adjournment, and on the 20th the Govr sent them a Message, acquainting them, that he had sent His Majesty's Troops to Albany for the defence of that City; that he had since received letters from the Coll: of the Militia Regiment of that Country[1] and the Commissrs of Indian Affairs (which were by his order laid before the house) advising him to rebuild the Fort at Saraghtoga immediately, and that he had by the consent of his Council send up directions to have it rebuilt accordingly, not doubting but they would make provision for that expence, as well as for the pay of such additional Troops, as he should be advised to send up for the protection of the Frontiers, as also for giving proper encouragement to those, who should take pains to engage the Indians heartily in the War.

In this Message he also reminds them of the necessity of concerting measures jointly with the neighbouring Governts concerning the prosecution of the War; He proposed such amendments, as he thought necessary in the Militia Act, and concluded with exhorting them to make use of all the means in their power to strengthen the hands of the Govrt, and to provide for every thing necessary for the preservation of the Province.

[1] *Sic.* Qu? County. — Ed.

On the 24th December 1745. the house resolved itself into a Committee upon this Message, and came to a resolution to allow £150. for rebuilding the Fort at Saraghtoga, and to take the Message into further consideration on Wednesday the 8th of January, to which day the Assembly was then adjourned. But Mr Clinton has not transmitted the proceedings of the Assembly in that session.

In his letter of the 18th of January however, he says, that the Assembly had paid no regard to what he had recommended to them, for the security of the Province.

On the 15th of January 1745. the Govr communicated to the Council several letters and papers received from the Frontiers representing the necessity of Building Blockhouses, of a prohibition against selling Rum to the Indians and the difficulty of getting the Militia up to Saraghtoga; which papers were referred to a committee of Council.

On the 17th Coll: Dekey presented to the Council a Belt of Wampum, which he had brought from the Cashigton Indians[1] to be presented to the Govr as a token of Friendship, and the Council recommended to the Govr to send the said Indians a Belt of Wampum with assurances of protection.

On the 31st January 1745. Mr Clinton laid before the Council several other letters & papers relative to things necessary to be done for the security of the Frontiers.

On the 5th of March the Govr laid before the Council a letter from the Commissrs of Indian affairs, representing the necessity of a Fort at the carrying place, the supplying Oswego with Provisions, and acquainting him that the Six Nations had refused to take up the Hatchet agst the French; which was referred with the other letters he had laid before the Council, to a Committee of the Board; Mr Clinton at the same time acquainted the Council, that the Assembly had desired to be adjourned to the 2nd Tuesday in April on account of the small pox, but the Council advised the Govr not to comply with their request.

On the 13th of March the Committee of Council consisting of Mr Livingston, Mr Chief Justice, Mr Kennedy, Mr Horsmanden, Mr Murray and Mr Moore, reported on the aforementioned papers, referred to their consideration, to the following effect: 1st That as they apprehend, that the Six Nations of Indians, declining to enter into the War, arose from their not having Forts and Garrisons in their Country, they therefore advised the Govr to acquaint the Neighbouring Governts therewith, and to urge them to contribute their proportion of the expence towards establishing Forts and Garrisons in the said Indian Country, the charge whereof was too heavy to be borne by the province of New York alone. 2ndly That these papers be communicated to the Assembly and that the Govr should recommend to them, to make provision in the mean time for building six Block Houses upon the Northern frontiers, for the maintenance and pay of the Militia to be garrisoned in them, and for 25 Men to be posted in the Blockhouses built at the expence of the Inhabitants upon the Frontiers, and that the Commissrs for Indian Affairs should always be furnished with sufficient sums of money, to answer all exigencies.

On the 2nd of April 1746. the Govr communicated to the Council a Message sent him by the Assembly, acquainting him that, as they were about to raise a large sum of money, they desired to know, if he had any objections to passing a Bill for issuing Bills of Credit; upon which he desired the Council's opinion, who advised him to return for answer, that, when a Bill for that purpose should come regularly before him for his assent, it would then be a proper time for him to give his opinion thereupon.

[1] This tribe resided on the Delaware river, at or near Cochecton, Sullivan Co., N. Y.—Ed.

On the 20th of April Mr Clinton laid before the Council a letter from Admiral Warren soliciting succours for the Garrison at Louisbourg, which the Council advised him to send to the Assembly.

On the 25th the Govr laid before the Council several letters from the Commissrs of Indian Affairs, acquainting him with their intentions of sending a Message to the Cocknawaga Indians to come and settle in the Province of New York, and that the French intended to build a Fort 12 miles beyond Mr Lydius's house, and urging the necessity of the removal of a French Priest settled in the Seneca Country, which papers were referred to a Committee.

On the 3rd of May the Council advised the Govr to adjourn the Assembly to the first Tuesday in June.

On the 10th the Govr laid before the Council a Petition of the Inhabitants of the two Towns upon the Frontiers, desiring Blockhouses might be built for their security, which Petition the Council advised the Govr to send to the Assembly.

On the 13th he laid before the Council two letters from the Commissrs for Indian affairs, complaining of Mr Lydius's conduct, and representing the distressed state of the frontiers, and the frequent murders and scalpings committed by the Enemy. These letters were referred to a Committee, who reported the next day, that it would be adviseable to forbid Mr Lydius to intermeddle with the Indian Affairs, and to order him to attend his duty in the Council; and that 200 Men should be draughted out of the Militia to be posted at Albany and Schenectady.

On the 20th of May 1746. Mr Clinton laid before the Council, several papers relating to a meeting in a Garrison at Saraghtoga; the impracticability of building the Six Block houses, for which the Assembly had made provision, on account of the annoyance given by the Enemy, and to measures to be entered upon for the security of the frontiers. These papers were referred to a Committee of Council, and in the interim the Govr was advised to send blank Commissions to Coll: Schuyler, to enable him to appoint proper Officers to raise volunteers for Ranging the Woods and to recommend it to the Assembly to make provision for their payment.

On the 30th the Council, upon the Govrs laying before them a letter from Coll: Beckman, relating to raising Men in Dutchess County, advised the Govr to engage 200 Men and to recommend it to the Assembly to provide amunition, pay and subsistance for them.

On the 3rd of June 1746, the Assembly being met pursuant to their adjournment, Mr Clinton in a Message acquainted them, that the Intelligence he had received from Albany during their recess, had obliged him to order an additional force of 300 Men, to be draughted out of the Militia, in order to be sent up to their assistance; and that he doubted not, but they would provide for the pay and subsistance of this reinforcement, in such manner as had been done for others; that the several Representations, letters and papers, which he had ordered to be laid before them, would not only prove the necessity of taking this step, but also convince them that the exigency of affairs required a much more powerful assistance, as well for the maintenance of the frontiers as for the prosecution of the War, in both which matters he recommended the greatest dispatch.

On the next day a Committee of the whole house upon this Message, came to a resolution to make immediate provision for 450 Men of the Militia and 50 Indians to be posted on the Northern frontiers, as the Govr and Council should direct, including the Men his Excellcy had already sent thither, the 120 directed by the Blockhouse Act, and the 30 Men ordered to be posted at Saraghtoga; and at the same time desired, that the designation of those Men, the Number of Officers, and other contingencies, might be laid before them, that they might make provision accordingly; which having been laid before them on the 6th of June, was referred to the Committee to whom the above Message had been committed.

On the same day Mr Clinton summoned the Assembly to attend him, the Council, and in a speech to both acquainted them, That he had received in a letter from the Duke of Newcastle, (An extract of which, he had ordered to be laid before them) His Majᵗʸ's Commands forthwith to make the necessary dispositions for raising as many Men as the shortness of the time would permit, to be employed in concert with his Majᵗʸ's regular forces in an expedition against the French Settlements in Canada; and recommended it to them in the most earnest manner to make such ample provision with the greatest dispatch, as would enable him to answer the King's expections. In the afternoon the same day, the Council and Assembly addressed the Govʳ with thanks for his speech, and the strongest assurances, that they would proceed on this important design with the utmost Unanimity & dispatch.

On the 7ᵗʰ of June 1746. Mʳ Clinton ordered a proclamation to be published, inviting and encouraging Men to inlist for the intended expedition.

On the 9ᵗʰ the Assembly having resolved itself into a Committee of the whole house on his Excellᶜʸˢ speech, came to the following resolutions. That a bounty of £6 be allowed for each able bodied Man, that should voluntarily enlist; and that £6000 be allowed for the purchase of sundry provisions for victualing the forces to be raised for the said expedition; and also, that a Bill be brought in for appointing Commissaries to purchase the said provisions. The above resolutions having been sent up to his Excellᶜʸ were by him laid before the Council on the 11ᵗʰ together, with a paper containing several queries relating to the intended expedition, on which he desired their opinion and advice. This paper was referred to a Committee of Council, who on the 13ᵗʰ reported upon it to the following effect. That as to the 1ˢᵗ Querry, if the Assembly would provide for as many Men as could be raised by the province in Bounty money, provisions & Battoes etc; it was their opinion, that the Assembly by their General resolve to give £6, Bounty money and provisions to the Men to be raised, did intend both to be without limitation, but no mention being therein made of Battoes, they advised his Excellᶜʸ to give immediate orders for building a number of Battoes, sufficient for transporting the Forces and Stores, not doubting but the King would defray that expence. In consequence of this advice a Proclamation was immediately ordered to be prepared, prohibiting all Carpenters from doing any other work than making Battoes.—As to the 2ⁿᵈ Querry, What encouragement to Indians; The Commᵗᵉ were of opinion, that such Indians as should engage in the War were intended to share in the provisions. As to the 3ʳᵈ What steps were to be taken to engage the Indians, in the War, and whether proper to acquaint them with the expedition then, or at the Interview; The Committee advised his Excellᶜʸ to engage the Six Nations to join in revenging the hostilities committed by the Enemy, and to desire the Sachems and fighting Men to meet him at Albany on the 20ᵗʰ of the next Month; but to make no mention to them of an intended expedition. They also advised that the Indians in alliance with the Six Nations should be by them invited to join in the War and to come to the said interview. As to the 4ᵗʰ, whether the province should provide pay and provision for such of the Indians as should engage in the War, and also for their wives and Children, as in the last War; they were of opinion that the presents of cloathing, arms and amunition were always deemed by the Indians to be in lieu of Pay & bounty money. As to the 5ᵗʰ Whether he, the Govʳ, should order Battoes to be built for the forces to be raised in other provinces? They advised his Excellᶜʸ to consult Sir Wᵐ Gooch & other Governors on this point; and if they desired it, and would answer for the payment, then to give such orders. As to the 6ᵗʰ whether adviseable for him (the Govʳ) to order Tents and other Camp-necessaries for the Forces to be raised in New York, and to draw on the Crown for that expence; and that

the service might not suffer by delaying to provide Battoes for the other province; the Committee advised His Excell^cy to consult Sir W^m Gooch on these heads also. As to the 7^th whether adviseable for him to draw on the Crown for Arms & cloathing the Com^tee advised His Excell^cy to pursue the directions he had received from the Duke of Newcastle. And as to the 8^th, whether the Province will allow provisions for the Regular Troops, if any should be sent on the expedition, and any additional pay to Subalterns, as in the last War; the Committee thought themselves incapable of resolving that question without the Assembly.

On the 16^th of June 1746. the Gov^r laid before the Council a letter, representing the bad condition of the Fort at Saraghtoga, which was referred to a Committee of Council appointed to enquire into the state of the said Fort, and to cause estimates to be made of the necessary repairs.

The same day 16^th June 1746. The Council appointed five of their Members to join a Committee of the Assembly to consider of the most speedy and effectual means for the execution of that part, which the Colony of New York was to take in the Canada Expedition. The five Members appointed to be of this Committee, were: M^r De Lancey, M^r Courtland, M^r Horsmanden, M^r Murray & M^r Moore.

On the 18^th M^r Clinton by the Advice of his Council sent a Message to the Assembly to acquaint them, that he had ordered the Commiss^rs for Indian affairs to invite the Six Nations to meet him at Albany the 20^th of next month; he had the King's orders to make them presents, and advised them to make provision for an additional present from the Colony, and speedily to make known, what bounty and subsistance should be allowed them; that he had wrote to all the neighbouring Gov^rs recommending it to them to endeavour, that their respective Govern^ts should bear a proportion of the expence of engaging the Indians in the War; that having no direction from His Maj^ty to provide Battoes or Tents, he desired to be speedily informed, if they would make provision for that expence. He also exhorted them to make a suitable allowance to the Town Major of Albany.

At the same time he laid before them Capt^n Ingoldsby's letter of the 7^th June, and the examination of M^r Jacob Ten Eyck of the 15^th, both relating to the bad condition of the Fort at Saraghtoga; the Com^tee of Council, to whom this Matter was referred, having been unable to make any estimates, and having advised His Excell^cy so to do.

On the 20^th June 1746, a Committee of the whole house upon the speech, Message and papers, granted nem: con: an additional bounty of 40^s. and a blanket to each of the first 1000 volunteers, and came to the following resolutions.

That the Colony should in common with the neighbouring Govern^ts bear its proportion of the expence of provisions for such Indians as will go on the expedition, and for such of the Kings forces as his Excell^cy should send.

That it was their opinion, that His Majesty did not expect the Colony to be at the expence of providing Battoes, Tents, ettc.

On the 23^rd day of June 1746. the Assembly voted £40000 to be struck in Bills of Credit for the service of the Expedition.

On the 27^th the Assembly voted £1800 for purchasing Gunpowder for the use of the Colony, £150 to the Gov^r for the expence of his voyage to Albany: £69.9^s 8^d for his expence in obtaining an Engineer, and solliciting a supply of Gunpowder. They also resolved, that, it being impossible to erect the Six Block houses on the Frontiers according to the directions of the Act for raising a supply of £13000 for the more effectual fortifying the Colony, the sums thereby appropriated to that service should now be imployed for the pay and subsistance of the 500 Men posted on the Northern Frontier.

On the 30th June 1746, Mr Clinton laid before the Council a letter from Sir Wm Gooch relating to Arms, Cloathing ettc. for the Men to be raised, and also letters from the Govrs of Connecticut and Pennsylvania, acquainting him, that the Assemblys of their respective Governts had refused take any share of the expence of engaging the Six Nations of Indians in the war, or of providing Tents, Battoes ettc.

On the 4th July 1746. Mr Clinton acquainted the Assembly by Message, that upon representations from the Commissrs of Indian affairs, and by the advice of the Council, he had Commissioned Officers to raise a Compy of 100 Volunteers out of the Militia; that he hoped they would grant that Compy additional pay, without which they would not continue in the service; that Mr Gooch Mr Thomas and Mr Laws had acquainted him, that their respective Governts, refused to bear any share of the expence of engaging the Indians or furnishing the Provisions, except that the former seems to intend a present; that he therefore earnestly recommended it to them to take the article of Provisions, as well for Indians as the King's Troops, into their serious and immediate consideration, and to provide for transporting the same as well as the warlike stores.

On the 9th July 1746. Mr Clinton by the advice of the Council sent another Message to the Assembly recommending it to them to follow the example of all the neighbouring Governts by advancing all monies requisite for every purpose in the prosecution of the Expedition, by which method one third or fourth part of the expence might be saved to the Crown, and offering to give his own Bills upon the proper offices, for all such sums as should be requisite for those particulars of which they should think the province was not expected to bear the charge.

That they would make provision for the 100 Rangers as soon as they should be properly informed of their services, and of the certain time, they had been employed.

That with regard to the expences of furnishing provisions for Indians or Regular Troops to be sent out of the Province, they could not recede from their resolutions of the 20th of June last; but if the neighbouring Governts would contribute, New York would bear its proportion. That a change so general as that of transporting provisions and stores could not be intended by His Majesty to be borne by that Colony.

That the Colony's advancing all monies requisite for its part of the expedition, would be attended with most fatal consequences, as it must occasion a further emission of paper money; that they saw very little probability of the Crown's sustaining any loss by the course of exchange, the then present season being very profitable for drawing by exchange.

On the 15th July 1746. Mr Clinton acquainted the Council with this Resolution, and that the Merchants would not furnish necessaries, but for Bills of Exchange, at the rate, exchange may be about at the time of the London Vessel's departure. The Council being asked, advised his Excellcy to issue his Bills at that rate, and to draw on the Lords Commissrs of the Treasury.

The same day the Assembly resolved, that the Forces raised in New York, for the Canada expedition, should be victualed at the expence of the Colony from the time of their embarkation; & at the Govrs desire, adjourned themselves to the 29. July.

Before his adjournment, Mr Clinton gave his assent to the following Acts:

"An Act to prevent the exportation of provisions, warlike stores ettc."

Mr Clinton observes, that it was necessary to pass this Act, on account of the expedition, that the Crown and the Province might not be put to any extraordinary charge upon that occasion.

"An Act for emitting £40000 in Bills of Credit, for the service of the expedition against "Canada"

The passing this Act, was certainly in Mr Clinton a breach of Instructions, in excuse of which he observes, that he was not inclinable to give his assent to it; but as the extraordinary occasion required a large sum to be raised, which could not be procured by any other means, he was advised by his Council to Assent to it. It must be further observed, that the disposal of all the public money raised by this Act, (except £150 allowed to the Govr for the expence of his journey to Albany) is entrusted to Commissrs therein named, to whom the Treasurer is directed to pay the said monies without any warrant from the Govr or Council. The Bills emitted by this Act are made current for ten years, and regular annual periods are fixed for sinking and Cancelling them within that time.

"An Act to detach 300 Men from Albany to serve on the expedition—"

This Act seems contrary to His Majtys Commission, whereby the command of the Militia is invested in the Govr; but Mr Clinton observes, that the occasion of its passing, was the refusal of the people of Albany to serve on the expedition.

"An Act for impressing Artificers, for providing necessaries for the expedition"

On this Act Mr Clinton observes, that he was informed by one of the Council, that his impress warrants for those purposes, would not be obeyed; he therefore recommended the passing this Act, that the service might not suffer thro' the obstinacy of the people.

On the 17th July 1746. Mr Clinton set out for Albany, to meet the Chiefs of the six Nations of Indians, having first recommended to the Council the peace and safety of the City and province, and the advancement of the expedition, and desired that they would by express inform him of every material occurrence.

On the 25th Mr Clinton in a letter to Mr Kennedy, which he desired him to lay before the Council acquainted him, that he had received information, that the French were preparing to attack Schenectady or Albany, and the Settlements on the Mohawk River, with a design, as he supposed, to prevent the Six Nations joining in the War, desiring that the Assembly might meet according to their adjournment, in order to their being informed of these matters, and that all the companies that were compleated might be immediately dispatched to Albany. The Council directly issued orders for the March of the said companies, laid before the Speaker and eight other Members of the Assembly the said information, relating to the designs of the French, and directed the Secretary to summon the Members of the Assembly to meet for the dispatch of business on the 12th of Aug: acquainting the Govr by letter with what they had done—On the 12th there not being a sufficient number, that house was further adjourned to the 19th and on that day a letter from Mr Clinton was received by the Council, acquainting them, that he did not think proper to suffer the Assembly to meet on business till his return to New York and they were accordingly adjourned to the 2nd of Septr.

From the proceedings of the Council it appears that during the absence of Mr Clinton, they took upon them to fill up blank Commissions for Officers on the Canada expedition; they likewise gave orders for the disposition of the Militia, marching Troops up to Albany, and for the issuing Gunpowder and other stores.

During Mr Clinton's stay at Albany, he jointly with Commissrs from the Massachusetts Bay, held an interview with the Six Nations of Indians, which ended in a Treaty with them and their allies, by which, they engaged to join in the War.

On the 8th of October 1746. Mr Clinton being returned from Albany desiring the advice of the Council, whether to send for part of the forces from Albany to New York, or not, they were of opinion that the withdrawing any Force from Albany, would greatly endanger that

Country, and advised the detaining the Maryland and Virginia Troops, for some time longer, for the defence of New York in case of an attack; on the 11th however, the Masters of the Maryland transports, having refused to engage for the payment of carrying the Troops of that province to Albany, whenever it might be thought proper to send them thither, the Council advised the immediate embarking them for Albany.

On the 17th Octr 1746. Mr Clinton being seized with a sudden indisposition sent for the Speaker, and desired him to lay before the house in his name, a speech he had intended to have made that day. The Assembly objected to this manner of delivery as unprecedented; but for the sake of dispatch of business, consented to receive it. In this speech Mr Clinton acquainted the Assembly, with the success of his voyage to Albany.

That notwithstanding the bad disposition the Six Nations had long been in, thro' the endeavours of the French, and the many difficulties in his way, he had firmly engaged the Six Nations & their Neighbours in the War.

That misconduct or neglect must have happened in the management of Indian Affairs, which he recommended to their particular consideration, least the advantages obtained by the late treaty be lost again.

That Mr Gooch having declined the command of the Forces intended against Canada, he had been obliged to take the principal care of them, upon himself.

That the measures he had settled with Mr Shirley and Mr Warren for employing the land Forces in annoying the Enemy, having been disconcerted by the arrival of the French Fleet on the Coast of Nova Scotia, he had, before he left Albany, disposed them in the best manner he could for the security of the Province.

That the dangers occasioned by the arrival of this Squadron, required their particular attention.

That a larger sum than usual, was necessary for Indian Affairs, he having ordered a Winter Camp, several small Forts, and Blockhouses on the frontiers; that estimates should be laid before them, and that he did not doubt, but the many motives he mentioned would make them exert themselves in furnishing means.

On the 18th Octr 1746. Mr Clinton being still indisposed, sent a Message to the Council, acquainting them, that the Commissrs for delivering provisions at Albany, having refused to deliver any, but to Captains and at Albany, according to the words of the Act, Coll: Roberts could no longer obey the orders he had left him; upon which he desired the advice of the Council, as also upon several letters from Coll: Roberts mentioning the deficiency of the additional bounty money, and several other particulars relating to the Army; but it does not appear by the Minutes, that the Council took any notice of this Message.

On the 21st October 1746, the Assembly in a Committee of the whole house resolved on a further supply of £6500 for victualing the Forces raised in the Colony during their continuance in Winter, Quarters, and £200 for transporting the same to Albany.

They also resolved to make no further provision for the detachment of Militia sent to Albany.

On the 22nd Mr Clinton laid before the Council his proceedings at Albany, during the Interview with the Six Nations and other Indians.

On the 23rd Octr 1746. Mr Clinton sent a Message to the Assembly relating to the difficulties that had arisen from the refusal of the Commissrs to deliver provisions, otherwise, than as the words of the Act direct. He acquainted them that the measures for operations had been greatly retarded thereby, and that every enterprize might be defeated, if the provisions were not subject to the Generals orders; he therefore proposed to them to amend the Act, and

provide for transporting provisions along with the Forces, and desired them also to make good the deficiency of additional Bounty money, and to furnish Blankets for the regular Troops, as well as for the Forces levied for the Canada Expedition.

In the afternoon of the same day the Assembly in a Committee of the whole house upon the above Message and speech of 17th Oct^{r}, resolved to grant £540 for the deficiency of the additional Bounty, and to present an humble Representation to the Gov^{r} in answer to the speech & Message.

On the 27th of October 1746. the Commiss^{rs} for purchasing provision acquainted the Assembly, that they had received information from the Commiss^{rs} at Albany, that the High Sheriff of that County had, by an order from Coll: Roberts, forcibly broke open their Store Houses, and taken away a large quantity of Provisions, which was referred to a Committee of the whole House.

On the 5th of Nov^{r} the General Assembly presented their Representation in answer to the Gov$^{r's}$ speech and Message, in which they declared themselves unacquainted with the bad disposition of the Indians or the occasion of it; that they had complied with what was recommended to them by defraying the expence of his journey to Albany, and by granting £600. extraordinary for presents; that he, the Gov^{r} knew best, how the service had been performed; that they were pleased to hear the Six Nations were solemnly engaged in the War, and should be glad to be convinced of it by their Actions.

That in order to examine into and find out the cause of the neglect or misconduct in the management of Indian Affairs, they desired to have copies of all letters and papers, between him and the Commiss^{rs} or any other persons on those matters, since his arrival. That till this was done, it would be imprudent to grant a larger sum than usual for the Indian Affairs, lest it should be liable to the same misconduct.

That they objected greatly to the forming a Winter Camp, as the means to retard or defeat the Canada Expedition. That they were sorry to find his Excell^{cy} of opinion, that harmony was not subsisting between the branches of the Legislature, that whoever prevailed on him to entertain such distrust, were not friends to their Country.

With regard to the Message, relating to the transporting provisions with the Troops, they recapitulated their proceedings ever since the receipt of the Duke of Newcastle's letter, appealed to him for the Justness and expediency of them, and refused to make any further provisions on that head. Acquainted him that they had voted the deficiency of Additional Bounty money, and should always endeavour to render his Administration easy, as far as their duty to His Maj^{ty} and the Colony would permit.

On the 8th of Nov^{r} 1746. the Committee of the whole house, appointed the 27th of October, made their report upon the Information given by the Commiss^{rs} for purchasing provisions, relating to the breaking open the storehouses at Albany.

The Committee's Report sets forth, that Coll: Marshall had produced to the Commiss^{rs} a warrant from M^{r} Clinton, requiring them to supply the four Independent Companies in like manner as the New Levies, which the Comss^{rs} had refused to do; that the Sheriff of Albany had told the Commiss^{rs} he had a Warrant to impress provisions for 1400 Men for 60 days, and, upon their refusal to deliver the same, had broke open the Store house, and being asked by what authority he did so, had produced a Warrant from the Gov^{r}, to impress workmen, horses, carriages, ettc and one from Coll: Roberts to impress two months provisions. That altho' the said Sheriff had demanded provisions for 1400 Men, there were but 1270 in actual service, and of that number three Companies had at that time provisions for near two Months. That

but 8 or 900 new Levies marched from Albany, and that the provisions forcibly taken would have subsisted the New Levies, to 24th January next. That several Field officers had demanded provisions to be transported with the Army, and that Dr Colden, in particular had threatened, in case of their refusal, to have other Commissrs appointed in their stead.

Upon this Report the House came to the following Resolutions.

That His Excellcy was ill advised in granting a warrant for provisions for the four Independent Companies.

That the Commissrs in refusing to obey that warrant, had acted agreable to the Act.

That Coll: Roberts's warrant was arbitrary and illegal, and that he was thereby guilty of a high misdemeanour.

That the breaking open the Storehouses was arbitrary, illegal, and a violation of the Rights and liberties of the subject.

That Mr Holland, the Sheriff, who broke open the Storehouse was also guilty of high misdemeanour.

That Cadwallader Colden Esqr in threatning the said Commissrs was guilty of a high misdemeanour.

That it was in vain to furnish provisions, till proper assurances should be given that a stop should be put to such proceedings.

That His Excellcy be acquainted with these Resolutions, and desired to order the Attorney General to prosecute the said Delinquents.

On the 10th of November 1746. Mr Clinton sent a Message to the Assembly in answer to their representation, in which he told them, he thought it had been notoriously known, that the bad dispositions of the Six Nations were owing to the ill usage they received from Traders and dealers, who for the most part were employed in the conduct of Indian Affairs; that many reasons induced him to think this a matter of great consequence; that he would order copies of all letters between him and the Commissrs of Indian Affairs, whenever they desired it; that if they had desired the same information with regard to the orders he had left at Albany, they would have had another opinion as to the disposition of Forces, winter Camps ettc. That the publication of their dissatisfaction would countenance disrespect to his orders, the consequences whereof were obvious. That their printing their representation without waiting his answer, shewed that his Recommendation of good agreement was not unreasonable.

That he had never taken any step towards raising parties or divisions, but endeavoured to keep up strict harmony; that had done more for the province, than any of his predecessors, and should always be carefull of their Rights and priviledges as well, as of the King's prerogative.

On the 24th of Novr 1746. Mr Clinton sent a Message to the Assembly in answer to their resolves of the 8th to vindicate the measures he had taken at Albany, and to clear the character of the Gentlemen of the Council, who assisted him there. He told them, that, in consequence of the plan of operation settled with Mr Shirley and Mr Warren, all the Forces rendezvoused at Albany, were to march from thence. That he thought it for the good of the service, to join to them as many of the four Independent Companies, as could be spared from the Garrisons. That the New Levies at first amounted to 1600, but death and desertion having reduced that number to 1400, he concluded it would be agreable to the House to supply that defect by adding 200 Men of the Independent Companies, without putting the Province to any charge but that of Provisions; that there was an absolute necessity to subsist these Men, and no provisions to be had at Albany, and, that when he granted orders for issuing provisions

to them, he sent assurances to the Commiss^{rs}, that if the Assembly would not allow them, he himself would pay for, or replace the same. That the form of the Warrant to M^{r} Holland the Sheriff had been advised and approved in full Council before he went to Albany. That he had also offered the Commiss^{rs} to pay for the Transportation of Provisions, if they thought themselves not authorized by the Act to do so, and had told M^{r} Colden if they refused upon those terms, to say that he should be obliged to appoint other Commiss^{rs}. That M^{r} Cuyler seemed content to transport provisions on those terms, and did not refuse, tho' he delayed to do it. That he referred them to a copy of the Minutes of the Council of War for proofs, that Coll: Roberts did his duty in granting the Warrants; and that M^{r} Holland was also in his duty in executing that Warrant; for all which reasons he could not order any of the prosecutions they desired, but should submit the matters to the King and his Ministers. That if in spite of his best care, any embezzlement of provisions had or should be made, he would heartily join in discovering and punishing Delinquents; that the provisions impressed should be accounted for in like manner, as if they had remained in the care of the Commiss^{rs}; and that he hoped they would take care to prevent a necessity for such proceedings for the future.

He then laid before them some complaints from Coll: Roberts of deficiency in the Rum caggs, and concluded with justifying the Conduct of M^{r} Colden, and desiring them to consider the tendency of their proceedings with regard to that Gentleman and every other Officer that had obeyed his orders.

Upon this Message the House came to the following resolutions on the 26th of Nov^{r} 1746.

That the Gov^{rs} answer was in no respect satisfactory, and that they could grant no further allowance for provisions, whilst the notorious abuses, that had been committed were avowed and incouraged.

That the advisers of that Answer had endeavoured to create dissentions among the several branches of the Legislature, had encouraged the breach of the Laws and were Enemies to the Constitution of the Colony.

That as soon as assurances should be given, that the abuses with regard to provisions should be effectually prevented, they would chearfully grant further subsistance for the Forces, but till then they could proceed on no business whatever.

On the 28th Nov^{r} 1746. M^{r} Clinton sent a Message in answer to the above resolutions, tellind them, he expected the provisions should be delivered as the service might require, then nothing that had happened could, or should happen again, and assuring them that care should be had of the provisions and accounts laid before them, and that he thought these assurances sufficient.

It does not appear that the Assembly took any notice of this Message; on the 6th of December they were prorogued to the 13 January following, M^{r} Clinton having first given his assent to the following Acts.

"An Act for continuing the support of Govern^{t} for one year longer"

"An Act for payment of the Salaries and contingencies therein mentioned for one year."

These Acts were passed in the same irregular manner as those of the like nature already mentioned, except that there are some additional clauses to the first for the preventing of uncustomed goods.

"An Act for continuing the support of the Garrison and trading house at Oswego"

"An Act for making further provision for Victualling the Troops raised for the expedition "against Canada"

By this Act Commiss^{rs} are appointed for the services therein mentioned, as also Commiss^{rs} for keeping and issuing the said provisions at Albany; There are also certain allowances to a Chief gunner, Store Keeper and Matrosses, who are all personally named in the Act.

On the 9th of December 1746. M^{r} Clinton transmitted to the Board, a printed copy of his Treaty with the Indians at Albany, to which Treaty there is an introduction, setting forth the motives and grounds on which it was made, and that M^{r} Clinton being sensible of the difficulties which might attend his endeavours in that affair was desirious of having the Assistance of as many of the Members of His Maj$^{ty's}$ Council as the circumstances of affairs would permit, but that they all declined to give their attendance except M^{r} Colden and M^{r} Livingston. With the above mentioned printed Treaty, M^{r} Clinton likewise transmitted a publick Newspaper called the New York weekly Post Boy, in which are printed the proceedings of the Council on the 4th of Dec^{r} 1746. which proceedings are not entered in the minutes of the Council transmitted by the Secretary. By these proceedings it appears, that M^{r} De Lancey the Chief Justice, acquainted the Council with what was asserted in the aforementioned instruction to the Treaty, as to sev^{l} of the Members declining to attend the Gov^{r} at Albany, which he represented as a misrepresentation of Facts, and an invidious reflection, and moved that the Printer might inform the Board by whose directions he printed it. That M^{r} Colden thereupon acknowledged that it was printed by his directions, upon which the Council came to the following resolutions.

That the aforementioned paragraph contained a misrepresentation of Facts and was an invidious reflection upon such of the Members of the Council as remained at New York, during the Gov^{rs} absence at Albany. There are also printed in this Newspaper the resolves of the Assembly of the 26th of Nov^{r} and the Gov^{rs} answer thereto.

M^{r} Clinton in a letter to the Board of Trade without, date observes that the publication of the resolutions of Council without any application to him, plainly shewed, that the spirit and design of their Actions were to stir up a popular Faction, and to represent M^{r} Colden as a person obnoxious to the Council and Assembly.

In December and Januar 1746. M^{r} Clinton laid before the Council several letters from M^{r} Shirley relating to an expedition intended against Crown Point, desiring him to send Artillery to Saraghtoga, and to join his Forces with those of Connecticut.—

It appears by the proceedings of Council upon this occasion, that they did at first advise the Gov^{r} to proceed with the Expedition, provided the Colony of Connecticut would join it, representing at the same time, the difficulties and hazard attending such an expedition at this season of the year; but upon the Gov^{rs} pressing them to be explicit in their advice, they gave it as their opinion, that the attempt was impracticable.

On the 24th of March 1746. the Assembly met according several prorogations, and on the 25th M^{r} Clinton in a speech acquainted them that measures were concerted with M^{r} Shirley for posting the Forces in the most usefull manner, for the security of the province and annoyance of the Enemy, as also for building two Forts at the carrying place to be garrisoned and supported, by the joint contribution of the neighbouring Colonies, and recommended it to them to furnish their quota of expence; that he had the Mohawks in readiness in case of any occasion for their service, and had endeavoured to preserve the good disposition of the Five Nations; that parties of Indians were out to intercept the Enemy near the Frontiers, and to range the Woods; that he earnestly recommended it to them to make further provision for victualling the Troops, for the expence of preserving the good disposition of the Indians, for which purpose he proposed to

go again to Albany, and to contribute chearfully to the Canada Expedition jointly with the other Colonies, who had levied forces for that service.

On the 9th of April 1747. Mr Clinton acquainted the Council with a Message he had received from the Assembly, desiring leave to adjourn for a short time, and desired their opinion, whether it would be proper to adjourn them before the services provided for by their resolves of the 4th inst: were passed into a Law; to which the Council replyed, that it would not be adviseable to adjourn them, till those resolves were passed into a Law.

What these Resolves were, does not appear upon the minutes of Council, and no journal of Assembly for that time has been transmitted by Mr Clinton

On the 24th Mr Clinton sent a Message to the Assembly in answer to their resolves of the 16th inst: wherein they desired him to imploy 100 of the New Levies, as Rangers of the woods, acquainting them, that when he was at Albany, he could not prevail, on the people to go on that service on less than three shillings a day and provisions, on account of the expence of apparel; that therefore the New Levies would think it hard to be obliged to go for one shilling. That no proposals had been made for defraying the expence of the Officers to be sent on so fatiguing a service; that as they had asserted that the new Levies, had remained hitherto unemployed, he should lay before them an account of his conduct with regard to the Frontiers. That he had secured the fidelity of the Six Nations without any expence to the Province; that notwithstanding the great labour and care of furnishing the Troops with Arms, Amunition ettc, which likewise was no expence to the province, he had not neglected sending out parties to oppose the Enemy upon the Frontiers; that after the enterprize against Canada was at an end, he gave orders for posting the Levies in such manner as might best secure the Frontiers, and fortified a Camp capable of containing 500 Men at the carrying place; that Forces did March for this purpose, but by the interruption of provisions and other difficulties, that they were obliged to quit that work, and content themselves with the Fort at Saraghtoga; that he had posted a company at the Mohawk Castle, another between that and Schenectady, two companies at Schenectady, three at Ganestigayune, four at the half Moon, two at Scatacook and three at Saraghtoga; that he was sensible other places ought to have been secured, & he should have done it, had they provided for the expence. That he kept the Indians in readiness to join the King's Troops. That he had concerted measures with Govr Shirley and the other Governors who approved his proposal for building a Fort at the carrying place, which he had in vain recommended to them, (the Assembly); that their declining every necessary expence for the security of the British Colonies, and the well being of their own province, and also their disrespectful behaviour to him, had obliged him to speak things, which he should thought otherwise prudent to conceal; that he was suspicious; that all the difficulties he had met with in treating with the Indians and engaging them in the war, arose from the views, which a few Men of considerable Estates and interest, had to their private advantage gained by the Trade with Canada, which for the common good he had effectually stop't; That if these Men could have prevailed with the Indians to declare for a neutrality, they hoped to oblige him to fall into the same measures. That there was reason to suspect, that this scheme was in concert with the Govr of Canada, from a Message the latter had sent to the Six Nations at the Time of the last Treaty; that he hoped they had too much sence of their duty to contribute towards the success of such a scheme, as he had laid open to them, & that they had a just abhorrence of the thoughts of strengthening the common Enemy to the Ruin of their posterity, from a hope of private gain.

That he should not be wanting to do every thing in his power, for the security of the frontiers; but that it depended upon them to enable him to secure them, by contributing to the expence.

On the 29th of May 1747. the Assembly presented an humble Representation to the Govr in answer to the above speech, wherein they set forth, that they did not intend to give him offence by their proposal of 100 Levies being employed as Rangers, which was founded on what he himself had done before; that they meant no more by their assertion of the Levies not being employed, than, that they did not proceed upon the Expedition for which they were raised; That they were sensible that the fidelity of the Indians was of great importance, and that they had been at great expence to preserve it, which, together with the provision made for the Fort of Oswego, and for the pay and subsistance of the detachment of the Militia posted upon the Frontiers, was a proof of that opinion; that they had in 1745. granted £1000 for presents over and above the usual allowance, which they hoped might have prevented any discontent; that hostilities had been committed by the Enemy, and yet the Indians had not orders to take up the Hatchet, notwithstanding his Excellency's declaration, that they should; That they gratefuly acknowledged the favour of His Majty in allowing presents to those Indians; that they were not informed what sums had been expended for that purpose, nor for Arms Amunition ettc. for the New Levies, the disbursing of which however they apprehend was of great advantage to some individuals; They then reminded him of the gratuity of £1000. given him at his first coming into the Governt and the provision made for building his house; that they readily came into the measures for rebuilding and garrisoning the Fort at Saraghtoga when destroyed by the Enemy, that they also made provision for building a Fort at the carrying place, for a line of Block houses to be built upon the Frontiers, and for victualling Garrisons of the Militia posted therein, altho' that provision had been applyed to other purposes.

That they were sensible of the use of having two Forts built at the carrying place, but that the expence was too great for the Province to bear; that however, when the other Colonies would engage in the design, they would willingly be at a proportionable expence.

That as to any interruption for provisions for the Men Posted to protect the building of Saraghtoga, if the Govr meant the Commissrs's refusal to deliver provisions contrary to Law, they had already given their opinion by their resolve of the 7th of Novr last, and that they had always thought the fortifying a Camp at the carrying place was as impracticable as it proved to be.

That the sums granted for New Batterys for repairing the Fortifications, purchasing Gunpowder ettc. together with £40000 for the Canada expedition and for victualling the Levys, as well as the assistance given towards the Louisbourg expedition, were proofs of their Loyalty to His Majty and their zeal for his service. That if a skilfull Engineer had been employed in repairing the Fortifications, a great deal of needless expence would have been saved; and that they wished the Engineer sent from England had arrived time enough to have directed the works now in hand; and that when they had reason to think the money would be laid out to the purpose, they should readily bear the proportion of any expence for the good of the Province.

That they had made provision for the appointment of Commissrs to treat with those of the neighbouring Governts, touching the conduct of the War; and a Commission was issued accordingly; but how nothing came to be done upon it, could only be conjectured.

That they could not conceive, how the Gent[n] of the Council, who attended his Excell[cy] to Albany were authorized to make any agreement with the Commiss[rs] of the Massachusets Bay touching the building two Forts at the carrying place as represented to them by His Excell[cy].

That as to the computation of the charge of attacking Crown Point, which had been laid before them, it was not signed by any person, nor did it appear, which of the neighbouring Colonies were willing to contribute to the expence; and that as there was reason to expect hourly orders to proceed upon the Canada Expedition, they hoped they should be excused providing for that purpose.

That they were concerned, to find His Excell[cy] was directed by the Counsels of a Man obnoxious to them, and who had by ill advice perplexed the affairs of the Province.

That they were ignorant, that the principal Traders and richest Men in Albany, did not wish well to the Canada Expedition, and held correspondence with the Enemy. But that if there were such, they ought to be brought to Trial, for so heinous a Crime.

That whoever instilled such notions into His Excell[cy] grossly abused his confidence.

That it was with abhorrence they received the thoughts, of any design to enable the common Enemy to overpower their own Brethren, a part of their own Nation, and that [they] believed there was no colour for such suspicion.

That as to what his Excell[cy] had said concerning Popish Emissaries and the danger to be feared from them, is suited exactly with the character of a person at Albany, much favoured by his Excell[cy] and intrusted with the affairs of the Indians; and that the employing private persons in these affairs without the knowledge of Commiss[rs] appointed for that purpose, was a means of much distraction and difficultys therein.

That they should have enquired into the misconduct of the Indian Affairs, had the proper papers been laid before them as was promised.

That they believed there were Men amongst them who by low, wicked arts, disturbed the peace of the people, and that they hoped his Excell[cy] would make such an one (for such an one they believed there was) feel his just resentment.

That they hoped His Excell[cy] had heard, that the goods given by him to the Indians in 1745 did not amount to one third of the sum allowed by the Assembly; that it had also been rumoured, that he had sold French and Spanish prisoners to Flags of Truce for several pistoles a head, which wicked rumours they thought it their duty, out of regard to his honour and interest, to acquaint him with, that the vile authors of them might be punished.

Upon receiving this Representation the Gov[r] acquainted the Assembly, that he should lay it before His Maj[ty] and his Ministers, and blamed them for not entering it upon the minutes of their proceedings.

The Gov[r] then adjourned them to the 2[nd] day of June.

With the above Report, M[r] Clinton also transmitted a paper containing his remarks thereupon; wherein it is observed.

That at the opening of the New Session the Assembly in all their proceedings, shewed their disposition and intention of disturbing the peace of the Gov[r] by laying in his way all the difficulties they could, and therefore, their excuse of not intending to give offence could not pass.

That as to their making his having employed the Levys as Rangers, the foundation of their refusal to make provision for that service, the inconveniencies attending what he had done, determined him not to do the like again.

That he was greatly surprised, that, after all the signal services he had done the Province, with respect to the Indians, the Assembly should lessen that service, by an insinuation that the Indians had not entered into the War against the French Indians, tho' actually at War with the French.

That it was true, the Indians did at present act only as Auxiliaries, but they might have been engaged as principals, and totally secured to the province, had not the Assembly refused to give them assistance.

That the Assembly's assertion that His Majᵗʸ directed presents to be made to the Indians at the charge of the Crown was false, and intended only to palliate their own neglect in not providing for the service.

That their assertion that they had made as ample provision for him as had ever been made for any of his predecessors, is also false; since the support of former Govʳˢ has usually been granted for five years, and his only from year to year; that they had deprived him of many advantages & restrained the support of Governᵗ in an unusual manner by making themselves judges of Officer's services, and of the salaries and rewards they merited; That he had received no benefit from their grant of money to Build him a house, the house being yet uninhabitable, and that all their Messages ettc, sufficiently contradict all professions of respect for his person.

That the reason of withdrawing the small Garrison from Saraghtoga was, because the place was not tenable against a superior force.

That as he had yielded to the Assembly's naming Commissʳˢ for erecting Forts and Blockhouses, the wavering and changing of measures relating to those Forts should not be imputed to him, but to those Commissioners.

That it was never intended to maintain Garrisons in the Forts proposed to be built at the carrying place, but during the then present exigency; and therefore the Assembly's excuse is without foundation.

That as to the Assembly's assertion, that he had not told them, which of the neighbouring Governtˢ had contributed to the expence of building these Forts, he referred to his speech at the opening of the session.

That the reason why the estimate given in was not signed was, that as Commissʳˢ were appointed to treat with those of the Massachusets Bay, the Council who attended him at Albany and who prepared this Estimate, did not care to sign it, least it should be suspected, that they had taken upon them an authority not vested in them.

That the rest of their observations on this head showed only their desire, to assume the direction of Military, as well as Civil affairs.

That as to the Assembly's recounting the provision they had made during the War, it was evasive, as the charge against them was for neglecting what was at present recommended to them, which cannot be denied.

That the blame which they would lay upon him for the blunders in repairing the Fortifications, ought justly to be laid upon the Commissʳˢ appointed by themselves.

That he was not to be blamed for the cause of the Commission for treating with the other Governtˢ not taking effect.

That their reflection upon a person, by whom they suppose him to be advised, arose not from the Members of the Assembly, but from other persons, who were known to be principal compilers of their Representation.

That as to the assertion, that a perfect harmony subsisted before this person was employed, they had forgot the blame, that justly fell upon them, both from himself and the Council so early as May 1745. for their encroachments upon the just prerogative of the Crown; and he refers to his speech to them, and the Council's censure of their conduct at that time; some of the persons, who then agreed in passing that censure, being the Compilers of their Representation.

That as to his assertion, that the people of Albany did not wish well to the expedition, but endeavoured a neutrality with the French, it had good foundation from them neglecting to build Forts, altho' money was granted for that purpose; from the answer given by the Indians when pressed to enter into the War in 1745, that they would first send to Canada to demand satisfaction for the hostilities, which was declared to be suggested by them by the people of Albany; and from a certificate, that all the disorders, which happened amongst the Troops in Albany, arose from false Reports industriously spread amongst them by the people of that Country.

That this his opinion was not suggested to him by the Person charged therewith, was evident from his Message of the 23rd August 1745. when he was not supposed to be influenced by him.

That as to the character and circumstances of a person at Albany, that person was never employed by him, but was Commissr from the Massachusets Bay, and represented to have done them signal service.

That as to their Assertion of being prevented from enquiring into Indian Affairs by a prorogation, before the papers, they asked for, were laid before them, it was false, in as much as the Assembly had after their message never called for those papers, which shewed they never designed to make such enquiry.

That as to their insinuation of the presents given to the Indians in 1745 falling short of the sums allowed by them, he must observe, how unbecoming it was to asperse him on common Report, when it was in their power to have examined into this affair long before they published this Representation; that upon hearing this Report, soon after his return from Albany, he had for his own justification, and the satisfaction of the publick, ordered accounts of the presents given to be made out, and delivered to several of the members of the Council.

That as to the assertion concerning the sale of Prisoners to Flags of Truce, it was not possible to make any answer to it, since it could not be discovered, upon what grounds such a Report was raised; that the advantage of Flags of Truce is greater, when they carry few, than when they carry many and therefore it could not be imagined, what should induce the owner of such vessel to give gratuity for prisoners.

Mr Clinton closes his remarks with complaining, that the Assembly took all possible means to prevent his seeing their representation before they presented it, that it might be published before he could answer it.

On the 29th of April 1747. Mr Clinton gave his assent to an Act for purchasing a further supply of Provisions for the Troops raised for the Canada Expedition, by which the Commissioners named in former Acts, past for this purpose are directed to deliver the provisions to such persons as should be appointed by His Majesty for the service of the Canada expedition, and to no other use or purpose whatsoever.

On the 2nd of June 1747. the Assembly met according to adjournment, and Mr Clinton sent them a Message, together with several letters and papers relating to the State and condition of

the Forces posted at Albany, and the meeting that had happened there for want of their pay. In this Message he urged to them, how much the safety of the province was concerned, and how incumbent it was on them to provide against evils, which could only be prevented by their speedy and sufficient assistance; he acquainted them, that he had already engaged his private fortune for his Majesty's service, and was willing to do every thing that could in reason be expected of him; that if they would not advance so much money as should be necessary on that occasion, he was ready to draw Bills for any sum, provided, his family might be indemnified from the consequences of what he had done or should do by the advice of his Council.

On the 4th a Committee of the whole house upon the above message and papers, Reported their opinion, that, according to the Duke of Newcastle's letter of the 9th April 1746, it was not the King's intention, that the province should contribute or advance any pay to the Forces, but that they should supply them with provisions.

That the care of the pay was the Governor's province, who might draw Bills for that purpose, and that the Govr's desire of an Indemnification implied such a distrust of the King as ought not to be suggested.

That the Govr's diffidence to draw Bills on so pressing an occasion was unreasonable and without grounds; and that, if any bad consequences should ensue to the province from the Forces not being paid, he alone would be to blame.

These opinions being agreed to, nem: con: were sent up to the Govr, who on the next day adjourned the Assembly to the 15th June; but no Journals of the Assembly of that time have been transmitted to the Board.

On the 19th of June Mr Clinton acquainted the Council, that he intended to embark for Albany that day, in order to put an end to the mutiny, that had happened among the New Levies, and recommended to them, the conservation of the peace of the City, and, if any thing extraordinary should happen, to meet, and consult, and take such steps, as they should think expedient for His Majty's service, giving him the earliest notice thereof.

Mr Clinton in a letter to the Board of Trade dated 22nd June 1747 observes, that the publick affairs were reduced to such a state, the King's authority despised, and the Governt wrested out of his hands by the violence of a Faction; that he could not answer for the safety of the province without the interposition of His Majty, and, that the Board might be the better Judges of the State of the Province, he should lay before them a Narrative of transactions since he entered upon the Governt.

That affairs had been distracted by parties in Mr Clark's administration, who made large concessions to the Assembly; that being at his arrival a stranger to the people, it was necessary for him to confide in one person; that Mr De Lancey, having the greatest property and connections and a knowledge in the Law, was the person he chose to place confidence in, that he advised him to accept his salary from year to year upon pretence, that when he had gained the affections of the people, it would be easier to break thro' their usurpations; that he did this view to put the power of Governt into the hands of a Faction; that to forward this view, in the Bills for support of Governt, the salaries of Officers were not affixed to the Office, not in the original [1] *but to the person in Office*, whereby the Crown was deprived of those appointments and the nomination of them vested in the Faction and their dependants; that in these Acts they also gave rewards for extraordinary services to be paid without a warrant from the Govr;

[1] *Sic.* These words are in Gov. Clinton's despatch to the Lords of Trade, of 22. June 1747. *Supra*, p. 353. — Ed.

that the Assembly took into their own hands the custody of all the stores of War, distinguishing them from those sent by His Majesty, by the name of Colony Stores; that they assumed the direction of Fortifications the Nomination of Gunners and other Officers, and directed them to be paid without warrant from him; that they raised and employed companies of Militia, and put the money for payment of them into the hands of persons appointed by themselves; that if it should be asked, why he suffered this, the Exigency of the times and the danger to be apprehended from the Enemy, obliged him to submit to it; that tho' M^r^ De Lancey at first, represented these things as usurpations, and advised him to dissolve the Assembly, yet in the next Assembly he supported those very measures; and it was found, that his only reasons for such advice was to get rid of the Speaker, who opposed his growing power; that in order further to secure power to himself, he formed an united Committee of Council and Assembly; that the people were well pleased with the intended expedition against Canada, but it being contrary to the views of the Faction that he should gain any credit in it, they soon curb'd the zeal of the Assembly, representing that it was sufficient to make provision for levying Forces and victualling them, no more being expected by the Crown. But their Chief hopes were, that he would not be able to engage the Six Nations in the War; that the Assembly insisted that it was intended, that the presents for those Indians, were to be at the expence of the Crown, tho' the practice had always been to the contrary; that such of the Members of the Council as were of this Faction refused to attend him to his Treaty with the Indians in 1745. in expectation of his gaining discredit thereby; that it was proved by their publick discourse, by their assuming to themselves the name of a Council, while he was in the province, by their corresponding with the Neighbouring Governors, and by issuing orders to the Militia and Gunners of the Forts, which orders were even given out after his return to New York, without being communicated to him; that the proofs of these things would evidently appear from the minutes of Council and Assembly and other papers he had transmitted, and by the remarks he intended to make thereupon; that the views of the Faction were also further proved by the messages and Representations of the Assembly, having been drawn up by M^r^ Horsmanden, M^r^ De Lancey & M^r^ Murray.

That he must confess indeed, that the Chief strength of the Faction arose from an Act of imprudence in himself in giving M^r^ De Lancey a Commission of Chief Justice during life, whereby, he had gained great influence; that the reasons for making Judges in England for life, did not extend to the plantations, tho' he was made to believe they did; that the Chief Justice, before he granted him that Commission, always show'd himself ready to serve him, but as soon as he obtained it, put himself at the head of the Faction, and ever since he has been in power, continual schemes have been formed, to weaken the power and authority of Govern^t^, and alter the Constitution.

He then submits to the Board, whether, as the forms of Commiss^ns^ cannot be altered without Act of parliament, that be not a sufficient ground to revoke this, and observes, that it would be in vain to remove M^r^ De Lancey from the Council, while his power of Chief Justice remained. Mr Clinton in another letter to the Board, dated 24^th^ of July, recommends the distracted state of the province to their consideration; he also acquaints them, that the laying aside the Expedition last year, had greatly discontented the Indians, and that, unless some enterprise was undertaken, there was danger of losing them; that he should therefore propose to the Assembly to undertake something of that sort, but that he almost despaired of success. That two Nations in the French interest had been prevailed upon to come over to the English, & he should endeavour to have them supplied with such necessaries as they might want.

On the 28th of July 1747. Mr Clinton laid before the Council three letters from Mr Shirley, acquainting him, that the Massachusets Bay, had appointed Commissrs to meet others to be named by the other neighbouring Governts at New York the 2nd of Septr following, to settle the plan of operations, the quotas of Men and money and every thing relating to the intended expedition against Crown Point, the reduction of which was so absolutely necessary for the security of the Western frontier, that he had summoned the Genl Court of his Governt and should urge to them in the strongest manner the prosecution of this enterprise, and desiring Mr Clinton to recommend it to his Assembly to acquaint the six Nations with the design, and in the meantime to order a party of 100 Men to Range between Saraghtoga and the Massachusets Fort. Whereupon the Council advised, that a plan of operations, should be immediately drawn up by themselves, and, if approved by the Govr sent to Mr Shirley, who should be also acquainted, that the New Levies were ordered to be encamped.

On the 1st of August the Council having prepared a plan of operations, it was read at that Board and approved.

On the 3rd Estimate of the expence of this Expedition were laid before the Council, and Mr Clinton having acquainted them, that there was great danger of losing the Indians, unless some enterprise against the French should be executed that year, again desired their opinion on the aforementioned letters, from Mr Shirley, and was advised to recommend to the several Governts to the Southward to concurr in the appointment of Commissrs to meet at New York, and to lay Mr Shirley's letter before the Assembly, together with the said estimates, to acquaint them that he was determined to employ the Forces in the province in this expedition, and to recommend it to them to make effectual provision for it.

Accordingly on the 4th Mr Clinton sent a Message to the Assembly together with a copy of Mr Shirley's letter, and acquainted them with the proceedings of the Council thereupon, and urged to them the immediate necessity of undertaking some enterprize, and the particular good that would result to the Province from the execution of this. He told them, that the whole expence was estimated at £14000 and exhorted them to take such a share of that expence, that the other Governts might be encouraged chearfully to take the remainder; that he had the strongest assurances of the hearty Assistance of the Six Nations, and had hopes of several other Nations formerly atached to the French, but that all interest and esteem among them would be lost by a longer inactivity. He desired their immediate deliberations and resolves on these matters, and told them, that the Massachusets and Connecticut, had already advanced large sums to encourage the Six Nations in their zeal for this Enterprize.

On the 6th the Assembly, on consideration of Mr Clinton's Message, came to the following Resolutns:

That they would chearfully contribute their just proportion of any sums they should Judge necessary for any well concerted scheme.

That to consent to raise monies on their Constituents, on pretence of anoying the Enemy, without knowing on what grounds, and for what reasons, would be to betray their Trust.

That they knew not what sums the Massachusets Bay and Connecticut might have given for the encouragement of the Indians, but were persuaded, New York had given more than both those Colonies for securing them in the British Interest, and that the Govr best knew how the sums given had been applied.

That New York ought not to bear more than one third of the Expence, which proportion they would chearfully contribute; but that the Governts to the Westward ought also to bear a share of it, by which means each respective third part would be lessened.

On the 22nd of August Mr Clinton laid before the Council a paper containing the apprehensions he was under for the security of the frontiers, and acquainting them that he could no longer find provisions for the Forces at Albany, nor continue the expence the Crown had been at in securing the fidelity of the Indians, and desiring them to consider these matters, as well, as the State of the Garrison at Saraghtoga, and give him their advice upon them.

This paper was referred to a Committee of Council.

On the 25th the Council presented an address to Mr Clinton, setting forth the dangers to which they apprehend the City of Albany to be exposed, by the withdrawing the Forces posted at the Northward of that City, and incamping them; the many objections they had to the disposition that had been made of them, and the dangerous consequences they expected from it; and desiring him to post such numbers of the New Levies in Albany, and to the Northward of that City as might secure the same, & ease the distressed Inhabitants. To this address Mr Clinton only answered, that he should have expected to have been informed of the subject-matter of it, before it was presented; but that he should duly consider it, and have a constant regard to the ease and security of the Province. But in a narrative of the case, on which this address was formed (which he transmitted to the Board of Trade in Septr 1747) he observes, that 'twas by the advice of the Council that the Forces were encamped, and that his orders left it to the discretion of the commanding Officer to chuse the ground. That notwithstanding their desire to throw a Slur upon that Officer, he was fully satisfied, that the Forces, when encamped were better disposed for the security of Albany than they had been before. That he was convinced this address was only designed to raise clamour and disaffection, not to redress any misconduct; for, if that had been their intention, they would have applied to him in a proper manner at their meetings in Council.

On the 28th of August, Mr Horsmanden chairman of the Committee appointed on the 22nd to consider of the paper that day delivered to them by Mr Clinton, read and presented to His Excellcy their Report thereupon; but a debate arising, whether the Report should be received or not, Mr Clinton said he should take further time to consider of it.

It does not appear by the Minutes of the Council that it ever was received —

On the same day Mr Clinton, sent a Message to the Assembly, acquainting them, that he could no longer continue the expences he had undertaken at the charge of the Crown of furnishing with provisions the Independent Companies and New Levies, made in the Southern Colonies, of securing the fidelity of the Indians, nor of sending out parties; that he therefore recommended to them to find supplies for these purposes for two months, by which time he hoped to be able to tell them the King's pleasure with regard to the Forces at Albany, and whether any of the neighbouring Governts would contribute to any of these expences. That he could no longer continue the expence of transporting provisions to Saraghtoga and relieving that Fort; that they must therefore provide for those expences which were greatly increased since the Enemy's incursion on Burnet's field.

On the 2nd Septr a Committee of the whole house upon the above Message, came to the following resolutions:

That the Four Independent Companies of Fuzileers, ought subsist themselves out of their pay, as they have always done unless posted in remote Garrisons; that in such case the Colony ever had and still would supply them with provisions.

That the Colony having always supplied its own New Levies with provisions, it was unreasonable they should be burthened with those of the Southern Colonies, whose duty

it was, according to the Duke of Newcastle's letter, to supply each of its own forces with provisions.

That the Gov$^{r's}$ Message of the 18th June 1746. having informed them, that he had the King's orders to make such presents to the Six Nations as might effectually engage them in the war, he ought to obey those orders, till they were countermanded, especially as the Colony was not able to bear that expence.

That the Gov^{r} might safely continue the expence of relieving the Garrison at Saraghtoga and transporting provisions thither in the manner he had already done, till he should receive counter-orders.

That no additional allowance should be made to the Contractor for victualling the Garrison at Oswego.

That provision shall be made for the pay and subsistance of 150 Rangers for 50 days to scour the woods in the County of Albany.

The whole house having agreed to these resolutions sent them up to the Gov^{r} desiring him to give orders for levying and sending out the said 150 Rangers with all dispatch.

On the 9th a Committee of the whole house resolved to grant £9751, for the pay & subsistance of the said Rangers for 50 days, and £231.4^{s} for supplying them with provisions, and ordered a Bill to be brought in for that purpose. They also resolved to address the Gov^{r}, that in as much as there was reason to believe the Garrison at Saraghtoga would soon be obliged to desert for want of provisions, he would give directions for the relief of that garrison, least the Fort ettc. should fall into the Enemy's hands. That, if the New Jersey forces could be no longer continued there, he would send a sufficient Number of the New Levies to that Fort for its security; or if he had no longer the power of disposing of the New Levies, that 100 Men of the Independent Companies might be posted there, and that they would make an allowance for supplying them with provisions.

On the 10th M^{r} Clinton, in a Message to the Assembly, acquainted them, that their resolves of the 2nd Inst: had given him great concern for the safety of the province, and reiterated his demands of the 28th of August. He told them, that their refusals would oblige him either to withdraw the Garrisons or suffer the Forts to be deserted. That notwithstanding the industry with which doubts of his success with the Indians were propagated, the good effects of the Treaty were now sufficiently evident, and that the King having at a great expence, recovered the affections of the Indians, might justly expect them, to be at the charge of preserving them. That he insisted on their making provisions at least for two months for those services he had recommended to them; that if they continued to refuse these supplies, they must be answerable for all the misfortunes that might fall on the province in consequence of such neglect. That unless the affection of the Indians was secured, it would be impossible to preserve the Garrison at Saraghtoga, and therefore could not relieve it, till they had given a proper answer to this Message.

On the 11th the Assembly resolved to address M^{r} Clinton on the subject of the Fort and Garrison at Saraghtoga, and to repeat to him what they had desired in their address of the 9th.

On the 12th a Committee of the whole house on the Gov$^{r's}$ Message of the 10th came to the following resolutions.

That to require them to victual the Four Independent Companies was unreasonable, and ought not to be complied with.

That the demand of Provisions for the Levies raised in the Southern Colonies was also unreasonable and would, if granted, be a precedent very prejudicial to the Province.

That the King's orders to make presents to the Indians, as mentioned in the Govr's Message, of the 18th June 1746, did, in their opinion still subsist.

That they ought seriously to consider the inhancement of the price of provisions for the Garrison at Oswego; and if the contractor should appear to be a sufferer, to do therein what should seem reasonable.

That an address be presented to the Govr concerning these Resolutions.

On the 12th Mr Clinton suspended Mr Horsmanden from his seat in Council, who desired a copy of the reasons for his suspension.

On the 22nd Mr Livingston and Mr Murray of the Council and Mr Verplank and Mr Cruger of the general Assembly were appointed Commissrs to meet those of the other Colonies, to concert measures for the prosecution of the War, and encouragement of the Indians.

Mr Clinton in his letter to the Board of Trade of the 27th Septr 1747. complains greatly of the most unreasonable and unjustifiable opposition he had met with. He says that he had several times passed over the most scandalous and false reflections thrown by the Assembly on his person and Administration, and begun a new, as if no such injuries had been done, that their behaviour could only proceed, from the most malicious spirit of wicked Men, whose design it was, to wrest the King's authority out of the hands of his Officers, and to place the Administration in a popular Faction; that they had refused to contribute anything towards retaining the Indians any longer in their engagements, and were endeavouring to throw that and every other expence of the intended expedition against Canada, upon the Crown. That popular faction was become so generally prevalent, that without some extraordinary assistance of Parliament, Govrs would not long be able to support the King's authority. That the first means of checking the power of Factions would be to fix a certain support for the Officers of Governt, which might be done by a Quit-rent on the lands equally rated, and that he believed the papers ettc. he had transmitted, would evince the necessity of taking some such method. That Mr Horsmanden having been the principal Actor in the opposition, and in forming the Faction against his measures, he had suspended him from his seat in Council, and removed him from all his Offices of trust. His reasons for which he inclosed to the Board, as well as those for not having communicated the said reasons to the Council.

Mr Clinton's reasons for suspending Mr Horsmanden were:

1° That Mr Horsmanden had no where any visible Estate. That he was involved in debt and in difficult circumstances; for proof of which he refers to the general notoriety of the Fact, and to Lieutt Govr Clarke.

2nd That he was a principal Actor in the Faction, that had been formed in the Province to distress the Govr and to gain the administration both, Civil and Military into their own hands. That this was evident by the constant meeting of a Committee of the Council and Assembly, who never made any report of their proceedings, tho' the resolutions of both, Council and Assembly were directed by them; that Mr Horsmanden was one of this Committee, and referrs to Mr Peter Wraxall for an acct of the proceedings of this Faction. That Mr Horsmanden drew up all the papers prepared by this Committee, particularly those entered in the Minutes of Council, which have been already stated. That he was the Author of the late representation of the Assembly, was proved by peculiarities of his stile, by the Affidavits of persons which were annexed, and by interlineations in the rough draught made in Mr Horsmanden's hand writing. That it would appear also by an affidavit transmitted to Mr Gearing, the Govrs Agent, that Mr Horsmanden communicated the Minutes of Council to some of the Members of Assembly.

3rd That the Faction had opposed or endeavoured to curtail all supplies, and had influenced the Assembly to put the publick money in the hand of their own Dependants, without allowing the Govr any power in the distribution of it, which the urgency of affairs had obliged him to submit to. For proof of this he referrs to the several Acts passed during his Administration for granting supplies, & to his speeches and Messages to the Assembly.

4th That they had influenced the Assembly to Assume the nomination of Officers and appointment of salaries and Rewards for particular services, (in the last of which cases Mr Horsmanden was a particular instance) without so much as consulting the Govr; to all which he had been obliged to submit, otherwise the Governt would have been without support; for proof of this also he refers to the Acts for raising supplies passed during his Administration.

5th That the Faction had, not only in conversation but by their resolves, addresses ettc., endeavoured to vilify and slander the Govr's Reputation with false and malicious aspersions, with design to withdraw the respect of the province and thereby to defeat his measures, and render him obnoxious to the King and his Ministers.

6th That in the publication made by the authority of the Council and Assembly, the Faction had thrown Invectives and aspersions on those, who had endeavoured to vindicate the Govr's Character, with design to expose his friends to the fury of an incensed Mob. That the 5th and 6th Articles were proved by the Assembly's representation of the remarks on the Representation of the Acts for supplies of Provisions, and by the Councils address, which they had published in one of the common Newspapers; that this proceeding was unprecedented; that the opposition of the Faction proceeded from two motives; first, the desire of some ambitious Men to put the Governt entirely in their own hands, which was the easier to be accomplished, as the majority of the Council and Assembly were ignorant, illiterate people, of Republican principles who had no knowledge of the English Constitution or love for their Country — secondly — from a design to establish a neutrality between the province of New York and Canada, as was done in the late War, whereby the Enemy was supplied with provisions, and the people of New England exposed to their Ravages; that such a design was now to be renewed, might be imagined from the advantages, the people of the Province would reap from it, from the neglect of the People of Albany to build Forts on the frontiers, tho' money was granted them for that purpose and by the backwardness of the Commissrs for Indian Affairs in engaging the Indians in the war against Canada, and by their conniving at, and encouraging conferences between the Govr of Canada and the Six Nations; that it was for his having shown a resolution in opposing this neutrality, that the two interests in the opposition, joined to weaken his administration.

The reasons that Mr Clinton assigned for not communicating the above to the Council, and for refusing Mr Horsmanden a Copy of them are: That others of the Council were joined with Mr Horsmaden in the same criminal practices. That some of those being Men of large family interests, the Govr was desirious of reclaiming them by gentle methods, and avoiding all causes of dissentions at a time, when the expedition against Canada might have suffered by it.

On the 29th of Septr Mr Clinton suspended Mr Stephen Bayard from his seat in the Council, and in his letter to the Board of Trade of that day, referrs them for his reasons for so doing to those he had given for the suspension of Mr Horsmanden, adding that Mr Bayard had come hot from the Faction, and threatned his person in a most insolent manner, with design to intimidate him into a compliance with their measures.

The same day Mr Horsmanden wrote to the Board of Trade, to acquaint them, that Mr Clinton had suspended him without the advice or consent of Council, and had refused him a

copy of his reasons for so doing. That Mr Clinton had also removed him from his publick offices without assigning any reason. That he could only attribute these marks of displeasure to the ill offices of Mr Colden, who had engrossed the Govr's confidence, and made the advice of the rest of the Council almost useless. That reports of Committees of Council, when not agreable to Mr Colden, were suppressed; to an instance of which in minutes of the 28th of August 1747. he refers the Board, as being the occasion of Mr Clinton's resentment against him; that he was that day Chairman of the Comtee to whom Mr Clinton had referred some matters in writing; that having read the Report and presented it to the Govr, Mr Colden moved that it should not be received. Upon which he expressed his surprise at the absurdity of Mr Colden's motion, and at the Majority of the Council's being overruled by the minority; in which he had no design of offending, but thought he did no more than his duty.

With this letter Mr Horsmanden transmitted a Copy of the said Report, which sets forth, that by the directions of the Committee he had applied to Mr Clinton for further information as to the matters referred to them; that Mr Clinton had refused and resented this, as calling him to account for what was contained in that Paper; that the Committee denying any such design, reported their reasons for desiring such further lights: vizt That as the Govr has said he could no longer find provisions for the Forces at Albany, or continue the expence of sending out parties of the Indians ettc. it was reasonable for the Committee to enquire, whether he had orders from His Majty to decline it; for if he had not been disavowed in it, the same reasons which prevailed on him to undertake it as first would make it necessary for him to continue it. That the Committee were of opinion, that, as Mr Shirley and Mr Knowles were to meet and advise concerning the disposition of the Levies, his Excellcy should represent to them the danger of withdrawing those Forces from this Province; that as to the other points referred to them, they could not form any opinion without further lights, that the members most in his Excellcys confidence, and from whom some information might have been expected, had not attended the meetings of this Commtee although they were summoned thereto.

Mr Clinton in his letter of the 27th Septr 1747. incloses a narrative of the occasion of this Report, in which he represents, that the paper he read to the Council ought to have been immediately considered and not referred to a Committee; but that Mr Horsmanden moved, for committing it, and it was accordingly carried by a majority. That the Committee met at a Tavern, and ordered copies to be made of the said paper, notwithstanding he had charged them to keep it secret, and that a copy was sent to each member, as well to those who were present, when the Govr enjoy[n]ed secrecy as to those that were not; That several of the Committee withdrew themselves upon the indecency of the application made to the Govr for further explanation of the said paper; and that the receiving the said Report was opposed by other Members, as being an untrue account of what passed in the Committee.

On the 2nd of October Mr Clinton desired the advice of his Council with respect to the measures proper to be taken for the security of the Frontiers, and for preserving the Fidelity of the Indians; and a Committee being appointed to consider of the same, took the examination of Coll: Johnson on the State of Indian Affairs; but it does not appear from the Minutes of Council, that they made any report thereupon.

On the 5th of October the Assembly met, according to adjournment, and came immediately to the following Resolutions:

That the state of the province and in the first place of the frontiers be taken into immediate consideration. That the Govr's frequent adjournments of the house had interrupted and delayed the provisions necessary to be made for the security of the frontiers.

The same day Mr Clinton, sent them a Message, laying before them the agreement made between the Commissrs of New York, Massachusets, and Connecticut, and exhorting them to grant the supplies necessary for levying and paying the forces to be raised in consequence of that agreement, and for the security of the frontiers, and preserving the fidelity of the Indians, for which services nothing was settled in the agreement. He reminded them that he had recovered the affections of the Six Nations at a great expence to the Crown which he could no longer continue, and entreated them to contribute what was necessary to preserve their fidelity, a small expence in proportion to that of recovering it. He desired them also to consider the securing the Garrison at Oswego and building a Fort in each of the Indian Nations; he proposed to them for the ease of the people to take into the pay of the Province the forces levied for the Canada Expedition, and represented to them the many advantages that would attend that measure; that; altho' they ought to bear the whole expence of securing the frontiers and the fidelity of the Indians, he would endeavour to persuade the Southern Colonies to contribute a reasonable proportion; that the Massachusets & Connecticut had at the last treaty given very large presents; and as the province had not at that time, nor since been at any expence on that head, they might be the more reasonably expected to advance what was necessary now. That they might depend on his best endeavours for the welfare of the province and for the giving them all possible satisfaction as to the frugal management of whatever should be granted; That their resolutions as to retaining the Forces at albany must be speedily sent to Mr Shirley; that the Sachems of the Six Nations were waiting their determinations and would stay but two days, he therefore recommended dispatch to them, and required their speedy answer.

On the 8th a Committee of the whole house upon the above Message, came to the following Resolutions:

That provisions be made for executing the scheme concerted by the Commissrs of Massachusets Connecticut and New York.

That all necessary provisions be made for the security of the Northern frontier.

That a proper present be made to the Sachems then at New York.

That tho' the Committee were persuaded the King's orders relating to presents to Indians still subsisted, and tho' no disposition of the large draughts, made by the Govr on that head, had yet been heard of, yet, since the Govr had declared he would do nothing more at the expence of the Crown, £800 should be allowed and deposited in the hands of proper persons for the above purpose; that the usual provision be made for the Garrison at Oswego. That as to erecting Forts in proper places among the Indian Nations, the Province ought to bear its proportion of that expence with the neighbouring Governts.

That upon receipt of certain and undoubted advice of His Majesty's Orders to discharge the Albany forces from his pay, a sufficient number of them ought to be retained for the security of the Northern Frontier.

That provision be made for victualling the Garrison at Saraghtoga, tho' not mentioned in the Govr's Message.

That the Govr be desired to inform the house, if he has complied with their requests of the 9th & 11th Septr last, relating to that Garrison, & what number of Men he has posted there, that they make provision accordingly.

These resolutions having been sent to Mr Clinton he returned for answer to the last, that he would consider of it and send an answer; but he immediately sent a Message to the Assembly,

acquainting them, that he saw by their votes, they were going on matters foreign to what he had recommended; that he would receive nothing from them, but what related to his Message; that a loss of a day might be fatal at this conjuncture, and that the consideration of other affairs might safely be deferred.

Upon the receipt of this Message, the next day, the door was ordered to be lock'd and the key to be laid on the table, and they immediately came to the following resolutions.

That it was the undoubted right of the house to proceed on all proper subjects in such manner as they thought best.

That to direct or prescribe to them in that particular, was a breach of privilege.

That the Gov$^{r's}$ declaring he would receive nothing from the house but what related to his Message, is unprecedented, and tends to the subversion of Rights of the House, and the people they represent.

That the adviser of that Message was an Enemy to the Colony.

Which resolutions were sent up to the Gov^{r}.

The same day a remonstrance to M^{r} Clinton was prepared by the Assembly, setting forth their concern for the loss of that harmony that subsisted between the several branches of the legislature at the time of receiving his Maj$^{ty's}$ orders for the Canada expedition. That they attributed the Artifices, that had ever since been made use of, to distract and divide them, to the person on whom the Gov^{r} had relied; that they were much concerned, that his confidence should be placed in a person so obnoxious. That the Gov^{r} had returned no answer to their resolves and requests, relating to the Fort and Garrison at Saraghtoga, and the Trading house at Oswego. That he had always kept the Indian affairs a profound secret, and diverted them from their ancient channel; that he was ill advised in taking them out of the hands of the Commiss^{rs}, whom, if they were not to be trusted, he should have removed and appointed others, and that his failure in that particular had been the sole means of perplexing affairs with the Indians; that it would have been much better for the Prov^{ce} to have established a neutrality between the Six Nations and the French Indians, than to have been at so great an expence, and still to have them on a precarious footing; that they had been told indeed, the Indians had engaged heartily in the War, but as yet had never heard of any engagement between them and the French Indians. That the several expressions in his Message relating to his success with the Indians, and the joy with which the disaffected had entertained doubts of it, were the mere Figments of his principal adviser, foisted upon them with private views to magnify those Treaties; that [they] could not but remark the cruelty of his unjust reflections on the Commiss^{rs} and people of Albany, whose deplorable circumstances were sufficient to melt a heart not devoid of humanity; that they believed indeed, the Gov^{r} had put the Crown to great expence in recovering the affection of the Indians; how properly he had applied the money, they knew not, but as they had not heard of any presents being lately made, they supposed he had a large sum in Bank, altho' he had asked supplies on that article. That the Gov$^{r's}$ expressions of concern for the welfare of the Province had no effect on those that judged by actions. That he had been ill advised in withdrawing the Garrison at Saraghtoga in 1745. and in the disposition of the New Levies, and had in these particulars neglected very signal opportunities of demonstrating his concern for the protection of the Province; that had the muster of the New Levies been fair and just, the Crown would have saved considerably in their Pay. That the Gov^{r} had treated the people of the Province, and the Assembly in particular, with contempt; that his Messages were full of injurious reproaches and calumnies.

That the house had been harrassed with frequent, short and unnecessary adjournments (the particulars of which they recited) to the great damage of the Members and contrary to precedent. That they submitted to every impartial judgement, whether such proceedings were calculated for the King's service, or the Colony's welfare. That if these methods were advised in order to make them submit to any measures, the attempt would be vain and fruitless. That altho' it had been insinuated that they were more saving of the Country's money than was agreable to the inclinations of their constituents; they had granted near £70000 since the war with France, and were ready and willing to do every thing that could be reasonably expected from them.

A Committee appointed for that purpose waited on M^r^ Clinton with this Remonstrance, but he would neither hear it, nor suffer it to be left with him.

On the 13^th^ the Assembly acquainted M^r^ Clinton, that they had under consideration a Bill for making provision for the security of the frontiers, and therefore desired him to lay before the house a state of the Forts and Garrisons of Saraghtoga and Oswego, and inform them what was the result of the consultations of M^r^ Shirley and M^r^ Knowles, as to the forces at Albany, that they might make provision accordingly. To which M^r^ Clinton returned for answer, that he had not received any advice from M^r^ Shirley and M^r^ Knowles touching the Forces, and that with respect to the other part of the Message, he would take time to consider of it.

On the same day M^r^ Clinton sent a Message to the Assembly to the following effect: That he was pleased to find that the Scheme concerted by the Commiss^rs^ of New York with those of the Massachusets Bay and Connecticut had met with so ready an approbation, as well as that for the security of the frontiers, tho' it had been retarded by the Province Commiss^rs^ withholding Provisions. That he knew not on what evidence they founded their opinion; that the King's orders relating to making presents to the Indians, still subsisted; that no Assembly had ever received the King's orders but thro' his Gov^r^, and no Gov^r^ could be supposed to dare to declare that to be his Majesty's pleasure, which was not so, or to disobey the orders he had received; that their assertion of having never heard of any disposition of the money received on the draughts he has made was a bold Falsehood, without the least appearance of evidence; that on the contrary they knew very well Indians had been armed cloathed and supplied with provisions and considerable parties sent out, to all which expences the Province had not contributed a farthing. That whatever sums he might have received by draughts, he was not accountable to them for such monies, nor had they any thing to do with the disposition or account of it; that their view was plainly to place the King's authority in the hands of the same Men, with whom they proposed to deposit the money, and by that means to become Gov^r's^, both of the Gov^r^ and Indians. That he was sorry to see, they had so little concern for the danger of the Garrison at Oswego, and so little zeal for encouraging the Indians. That their refusing to build Forts for the protection of the Indians, who had exposed their lives in the defence of the Province, shewed the highest Ingratitude and disregard of the Honour and Justice of the Govern^t^. That as to the Forces at Albany, they could never know His Maj^ty's^ Orders but thro' him, and if they would not accept those Forces according to his proposal, and speedily too, they could not have them at all. That their resolve on this subject seem'd introductive of a claim of the Command of the Army, but that he should never give up any part of the King's prerogative. That their sending orders next to him relating to the Fort at Saraghtoga, was another proof of that claim. That the design of their resolves, was plainly to

raise a clamour against him for things that were really the consequences of their unreasonable opposition. That neither the Constitution nor their own knowledge, skill or Information entitled them to the least share in the execution of military orders. That he had formerly told them, that his opinion was founded on the consent of all good Judges, that the Fort at Saraghtoga would not answer the purposes for which it was built; but it was built by Commiss^{rs} who had not in view the security of the frontiers, but the preservation of their own Wheat. That their opposition to his measures had greatly increased the necessity he had been under of withdrawing that Garrison. That the Message he sent to them to proceed upon, what he had recommended to them, arose from his finding by their Minutes, that they were going upon variety of matters and Bills of small weight; that the shutting the door of their house, was denying him access and an insult upon his authority, and that he did not by that Message incroach upon their privileges. That they owed their Constitution to the Kings Commission only, and had no Right to assume privileges belonging to the Commons of Great Brittain, to whose authority they were subject. That he had great reason to complain of the indecent behaviour of some of the Assembly, in coming into his apartment with their Remonstrance, and that he would never receive any thing from the House in publick, the contents of which were not previously communicated to him in private. That their entering upon Resolves at the opening of the session before he had an opportunity of laying before them, what was necessary to be considered, was an encroachment upon the prerogative. That in their Representation, they had forgot all decency and respect to his Authority. That they had asserted falsehoods, and, in order to excuse themselves for denying the necessary supplies, had endeavoured to infuse into the minds of the people, that he converted the publick money to his private use. That the little pretence they had for this impudent assertion, must appear evident, when it was known that all the money disposed of by him, since his first coming to the Govern^{t} did not amount to £18000 currency. That supposing all the money which came into his hands had been converted to his private use, that could not justify the Commiss^{rs} withholding provisions from the Forces, or their refusing other necessary supplies. That since his Administration of the Govern^{t}, the Assembly had put above £60000 into the hands of Commiss^{rs} named by them, none of which had ever been called to account. That the Spirit of their Representations appeared in their heavy calumnies thrown upon those who endeavoured to support him in his Administration; against whom however, they had not been able to prove one fault or blemish. That their refusal to supply the independent Companies posted at Albany with provisions, could have no other tendency, but that of the dissolution of those Troops. That this their unbecoming conduct could arise from nothing, but a firm principle of disloyalty, in endeavouring to deliver up the Country to His Maj$^{ty's}$ Enemies, from a desire of favouring that shameful neutrality endeavoured to be established between New York and Canada, from a design to overturn the Constitution of the Govern^{t}, or lastly to satisfy the pride, malice and rancour of a few Men.

That he had, at the opening of every new session endeavoured to prevent a renewal of past differences, which they on the contrary had always promoted; that he should now lay aside all resentment, and recommend it to them to make the necessary supplies for the security of the frontiers, and preserving the fidelity of the Indians. That in order to prevent any delay, which might arise from a misunderstanding, he thought it proper to acquaint them, that he should not give his assent to any Bill, in which publick money was to be disposed of, contrary to His Commission and Instructions, or should any ways limit his Maj$^{ty's}$ Authority in the disposition or command of the Forces, or in the direction of Military affairs.

On the 15th of October 1747. the Assembly sent to acquaint the Govr, that as it appeared by the Commissrs Report, that a Gunsmith and two Men should be sent, to Four Tribes of the Indians, with goods to the value of £300 New York currency, they desired, he would, without delay give directions for that purpose, and that they would make provision to defray the expence.

On the 16th of October the Assembly took the Govr' Message into consideration, and came to the following Resolutions:

That provision be made for the pay of a Detachment of Militia posted at Oswego, for supplying the said detachment, as also the double garrison of regular Forces, with provisions.

On the 19th Mr Clinton sent a Message to the Assembly to acquaint them, that his Majty had thought proper that the expedition against Canada should be laid aside, and the Troops discharged; that he was directed to recommend it to them, to furnish such sums of money as might be necessary for paying the said Forces, till provision could be made by Parliament; that on this occasion he renewed the proposal of retaining a number of the Levies at Albany for the defence of the frontier, but that whatever number was retained, it must be upon the same pay, and the choice of them to be left to him.

The next day the Assembly came to a resolution, to make provision for 8. Companies of 100 Men each, of the levies posted at Albany for the defence of the Frontiers and annoyance of the Enemy.

On the 21st a Committee to whom the Govr's last message had been referred, reported their opinion, that the great expences of the Colony during the War rendered it unable to make provision for the pay of the Troops levied for the Canada expedition.

On the 23rd the Assembly came to several Resolutions to make provision for repairing Fortifications, and for employing a proper Number of out scouts during the Winter.

On the 26th Mr Clinton sent a Message to the Assembly, that, as it would soon be necessary for him to order a large Detachmt of the Militia for the defence of the frontiers, he recommended to them to make provision for their pay and subsistance.

The same day the Speaker, of the Assembly, represented to the house, that an order, signed with the Govr's name and directed to Mr James Parker, printer to the General Assembly, had been published in the Gazette of that day, whereby the said Printer and all other persons were forbid to reprint or otherwise publish the Remonstrance of that house, which the Govr had refused to receive. That he found himself charged in that order, with having directed the said Remonstrance to be printed in the votes of the house, in disregard to the Govr's authority, and therefore as what he had done, was in consequence of an order of the house, he desired his conduct might be vindicated therein. Upon this occasion, the Assembly came to the following Resolutions:

That it was the right of the people, to know the proceedings of their Representatives, and that any attempt to prevent those proceedings being printed is a violation of that Right.

That the humble Remonstrance of the house of the 9th inst: tho' refused by the Govr, was yet a regular proceeding.

That the Govr's order to forbid the printing it, was arbitrary and illegal, an open violation of the privileges of that house and of the liberty of the press.

That the Speaker's ordering the Remonstrance to be printed was regular and consistent with his duty.

The same day the Assembly resolved, that a quantity of Gunpowder should be delivered to Coll: Schuyler for the use of the County of Albany.

On the 31st of October 1747. the Committee to whom the Govr's Message of the 24th was referred, reported, that they were surprized the Govr should recommend provision for a Detachment of the Militia, having before proposed the taking a sufficient number of the Levies at Albany, for the same purposes, to which the House had agreed, and were making proper provision for them, and that, whilst His Excellcy was governed by such unsteady Councils, 'twould be difficult for the House to make such provision for the defence of the frontiers, as the situation of the affairs seemed to require.

On the 2nd of Novr Mr Clinton sent a Message to the Assembly, in answer to this Report of the Committee; wherein he observed, that as they had refused to give the King credit for such sums as were necessary to pay the Forces, and had proposed to reduce the pay of the Officers of the companies, which were to be retained, so low, that no one would accept a Commission, whereby the Province was in danger of being left exposed to the Enemy, he thought it his duty to endeavour to prevent that mischief by employing the Militia.

This Message was referred to a Committee, who the next day reported their opinion, that from His Excellcy's Message, instead of discovering any reason for throwing off their surprize, they found great cause for its increase, and the instability of the Councils still more evident; that it was now intimated, that the Levies could not be retained, without their arrears were advanced, which was not a former condition; that the house had agreed to allow the same pay to the private Men, and furnished them with cloathing, and only objected to the pay of the Officers, which was communicated to His Excellcy, who, altho' he expressed some doubt whether these forces could be continued but upon the full pay, both of Officers and Men, yet he acquainted them, that the time for their discharge was not fixed, and that he must first consult with Mr Shirley and Mr Knowles on that head; that the house had impatiently expected the result of his consultation, but instead thereof a new, and more heavy condition was intimated; from all which they concluded, that it was not His Excellcys intention, that these forces should be received into the pay of the Colony, but rather, thro' want of cloathing ettc. that they should be driven to desert; by which means the frontiers being left defenceless, the Govr might have a pretence, in order to harras the poor people of the Country, to make detachmts from the Militia.

To this opinion the House unanimously agreed.

On the 6th of Novr 1747. the Govr laid before the Council an Instrument signed by Govr Shirley and Govr Knowles, dated the 28th of October last, for the discharge of all the Troops raised for the Canada expedition.

On this occasion the Govr observed, that, as the frontiers would be deprived of defence, he had called upon the Assembly to retain a sufficient number of the Levies; that he had ordered detachments of the Militia to be in readiness to march to Albany; that the Assembly had refused to furnish him money or Credit to pay off these Forces, and being informed that the Assembly proposed, that the frontiers should be defended by new Levies, of Volunteers, which might be impracticable, he desired the Advice of the Council, what might be further done for securing the frontiers, for the pay of the Troops now to be disbanded, and preventing any disorders which might happen upon that occasion.

On the next day the Council were of opinion that the provision made by the Assembly for 800 Volunteers, was most likely to retain them; but that the pay allowed to the Officers was

too small. As to the payment of the Troops, they advised his Excell^{cy} to make application to the Merchants for that purpose.

M^{r} Clinton in his letter to the Board of Trade dated 10th Nov^{r} 1747. complains of the conduct of M^{r} De Lancey, the Chief Justice, in endeavouring to throw the executive powers of Govern^{t} into the hands of the Assembly, in order to distress the Govern^{t} in all cases, where money is wanted for the King's service; that he should be obliged to suspend him, as he had done M^{r} Horsmanden and M^{r} Bayard, that upon the refusal of the Assembly to retain the 800 new Levies in their pay, he issued his orders to the Colonels of the Militia, to hold their Regiments in readiness to march at an hour's warning; that the Militia Reg^{t} of New York being in consequence of those orders drawn out, unanimously refused to obey any orders from the Crown, without an Act of Assembly; and that he was apprehensive, that the rest of the Militia would take this example; that the Assembly had publickly avowed the neutrality with the Enemy at Canada, and that he had the greatest reason to believe, that M^{r} De Lancey was deeply concerned in that villainous declaration, which he hoped would justify his intentions for suspending him.

On the 20th of Nov^{r} the Gov^{r} communicated to the Council two letters from Coll: Johnson, acquainting him, that almost all the Levies, at the Indian Castles had deserted. Upon which the Council advised him to post such a number of the Levies as should enlist in the province service at the said Castles.

On the 25th M^{r} Clinton dissolved the Assembly and in his speech upon that occasion, he complained of their resolves in consequence of his order to their printer, and recommended it to them to consider, whether it would not have been better, if he had by that order infringed their Liberties, to have applied to him in some other manner, than by the method they took to assume an authority over him, and contradict his orders. He begged them likewise to consider, that their remonstrance and former representation, were full of notorious falsehoods and contradictions; that they were calculated to support falsehood, slander, and malice; that the method they took to present that Remonstrance could only be with a design to shew their contempt of the King's authority in the character of His Gov^{r}, and that, if the whole of their proceedings was taken together, the spirit of their actions would plainly appear; that he should leave it to his Superiors to judge of [t]his remonstrance, as well as of the propriety of his forbidding it to be printed; that as to the liberty of the press, the preventing abuses of it was no obstruction. That notwithstanding his recommendations to them to make provision for the security of the Indians, they made not the least provision for that service; that it was plain from the aspersions they threw upon him, in order to lessen him in the eyes of the people, that they intended to assume the superiority in the Administration. That it was necessary to keep secret the orders for the discharge of the Troops, least the Frontiers should be deserted before any provision was made for their defence; that he gave them however timely notice that this would happen, that they might make the necessary provision; yet they refused to do it in the manner he recommended, and pursued a more uncertain and expensive method, and that it was well known, how dilatory they had been in their proceedings. That the orders he gave to the Militia were neither partial nor illegal, and yet, by means of the Assembly's influence they were disobeyed, and that this could be done with no other view, than to usurp the command of the militia. That their refusing the King credit for the paym^{t} of what was due to the Forces, shewed, how little regard they had for his authority. That if they had complied with the terms proposed by him for retaining the Levies, the frontiers would have

been secured, whereas they are now left exposed. That their refusing to make provision for the subsistance of the Independent Companies upon the same foot as the other Levies, tended to a dissolution of those companies, and shewed that they were desirious of having all the Military Force in the Province dependent upon them. That the Bills, which they had passed and to which he had unwillingly given his Assent, put their designs out of question. That they had endeavoured to make, what he should do for the safety of the Province inconsistent with his duty, by rendring what they put it in his power to do for the safety of the province contradictory to the King's commands, and derogatory of his authority; but he hoped his zeal for the safety of the People, would excuse him to His Majᵗʸ for passing such Laws. That a further instance of their aiming, both, at Civil and Military power, was their assuming to themselves the nomination of Officers, and the rewarding of services. That there appeared a want of Candour in all their proceedings, and that, as he knew many of the inhabitants disapproved of their conduct, he could not do better than to put it in their power to declare their sentiments, and therefore he dissolved them.

During this session of the Assembly the following Acts were passed and assented to by Mʳ Clinton: vizᵗ:

"An Act to continue the Militia Act"—

The Act which is hereby continued was passed in 1743. The Regulations thereof appeared to be proper and reasonable, and there is a proviso, that nothing therein contained shall derogate, lessen or diminish the powers and authority lodged in any Captⁿ Genˡ or Commander in Chief by his Commission or other power whatsoever.

"An Act to let to farm the Excise on strong Liquors"—

The moneys to be paid, into the hands of the Treasurer by the Farmers, are appropriated to cancell certain Bills of credit struck and issued upon this duty.

"An Act for continuing the support of Governᵗ for one year"—

"An Act for purchasing a supply of Provisions for the Levies detained for the security of "the frontiers."

By this Act the Treasurer is directed to pay certain sums of money to certain Commissioners therein nominated for purchasing & transporting the provisions to Albany.

There is also a severe penalty inflicted upon any persons, who shall, under any pretence whatever seize or carry away any of the said provisions. On the reading this Bill in the Council Mʳ Colden moved, that it should be amended in such manner that the disposition of the Provisions for the Forces posted at Albany should be vested in the Govʳ or Commanding Officer of those Forces; which motion was carried in the negative.

"An Act for emitting £28000 in Bills of Credit for the security of the Frontiers"—

The currency of these Bills is limited to 9. years, and provision is made for cancelling them by a Tax upon the Inhabitants.

By this Act £8597—19—are directed to be paid to Commissʳˢ named in it to be by them applyed to the payment of 800 Men. Commissʳˢ are also appointed for issuing provisions to the said 800 Men, who are likewise empowered to purchase Gunpowder and lead for them.

By these provisions all power whatever over these 800 Men, which by the Govʳˢ Commission is vested in him, is placed in the hands of persons appointed by the Assembly.

Upon this Bill's being reported in Council without amendments, Mʳ Colden dissented; first, because Commissʳˢ were appointed thereby to pay the Forces levied or to be levied in the Province, who were to act independent of the Govʳ; secondly, because the Treasurer was

directed to issue sums without Warrant from the Gov^{r}—and thirdly, because the method of Cancelling the Bills was open to fraud.

An Act for appointing Commiss^{rs} to state the publick accounts from the year 1713. On this Bill's passing in the Council, M^{r} Colden dissented for the following reasons:— 1st Because the Gov^{r} has the only right to nominate Persons to state the Publick accounts. 2^{ndly} As the Funds for the support of Govern^{t} had always been, duties upon Wines, and Merchandize, the persons named by this Act to state these Accounts being Merchants were not proper persons, and might have an undue influence. 3^{ly} Because there were some expressions in this Bill, which tended to the making the Members of Assembly perpetual auditors of the publick accounts. 4^{thly} Because there was no tie upon the Treasurer or the Province to bind them to admit the State of the accounts made by the Commiss^{rs}. 5th Because no rules are prescribed for the proceedings of the Commissioners. 6th Because this State, which might be erroneous, was directed to be published in the Newspapers, which was making the Mob the dernier resort in matters of accounts, and exposing the State of the Province to Foreign Nations. Lastly. Because Salaries were directed to be paid in perpetuity to certain persons without the Warrant of the Governor.

"An Act for Cancelling the Bills of Credit"

M^{r} Colden dissented to the passing this Bill in Council for the following Reasons: 1st As it was subject to the same objections as the former, as to the nomination of Officers and payment of money without Warrant from the Gov^{r} & Council.

2^{ndly} Because by this Bill other Bills of credit are directed to be cancelled in the place of those directed to be cancelled by preceding Acts. Whereby Bills might be left in the hands of Persons, after their currency had expired, to their great loss.

3^{dly} Because the Treasurer is directed to exchange defaced Bills for new ones, which was liable to fraud, as the value of defaced Bills could not be known, or they might be counterfeits.

4^{thly} Because this Act repeales a clause in a former Act, whereby evidence was to be given of the Old Bills being cancelled, which evidence by the present Act, the Commiss^{rs} are not required to give; that they might therefore put the old Bills in their pockets and issue them out again.

M^{r} Clinton in a letter to the Board of Trade dated the 30. of Nov^{r} acquaints them with his having dissolved the Assembly for the reasons set forth in his speech. He observes, that the Assemblies of that Province always incroached upon the prerogative of the Crown; but that now they assumed to themselves the nomination of Officers and the rewarding of Services. That he could think of no method of remedying this evil but repealing the Acts for issuing Bills of Credit, and reissuing those Bills under such conditions as his Maj^{ty} should think proper. That the desire of a neutrality with Canada and his endeavours to suppress it, had established a Faction against him. That M^{r} De Lancey, M^{r} Horsmanden, Mr Murray, M^{r} Bayard and M^{r} Livingston all members of the Council, were deeply concerned in the Faction. That M^{r} Oliver De Lancey brother to the Chief Justice, said, that the Faction would hang three or four people, and set up a Govern^{t} of their own; and upon the dissolution of the Assembly, he asked his Brother, whether affairs could not be carried on without an Assembly, who answered, yes, if the people could be persuaded into it, but that they would not part with their money at that rate. M^{r} Clinton concludes his letter, with pleading the necessities of the Province, in excuse for his passing the money Bills, liable to so many objections.

On the 31st of December, Mr Clinton communicated to the Council some resolves of the Assembly of the Massachusets Bay, wherein they dissent from several Articles of the agreement entered into by their Commissrs with those of Connecticut and New York.

On the 26th of January 174$\frac{7}{8}$. Mr Clinton communicated to the Council a Petition of the corporation of Albany, praying the continuance of a Company there under the Command of Captn Schuyler, which the Council advised him to comply with.

On the 4th of Febry Mr Clinton acquainted the Council, that, upon receiving frequent complaints of there being no powder in the Fort at Albany, he had directed Coll: Marshall to apply to the Commissaries of Stores for 3. barrells of Powder, until the Assembly should make provisions, and that the Commissaries had refused to deliver them.

On the 12th of Febry 174$\frac{7}{8}$ a New Assembly met, when Mr Clinton made a speech to them to the following effect:

That the affairs of the province made it necessary to call them together at that time; that the agreement with the Commissrs of the neighbouring Provinces for carrying on the war, had been approved by the Assembly, by the Colony of Connecticut and by the Massachusets Bay, with some alterations; that the 11th article objected to by the Massachusets Bay, might be carried into execution by large parties of Indians; that he advised them to make provision for that purpose; that it was worth considering how the influence, which the French were likely to gain over the Indians from their being disappointed in the expedition to Canada, might be obviated, and hoped for their assistance in it. That he recommended to them to make provision for the payment of the salaries of Officers and other contingencies of Governt, for an allowance to an Interpreter, to the Indians appointed by him, for the pay and victualling the garrison at Oswego, for the repairs at the Fort at Albany, rewards to the Indians for Scouts, maintenance of prisoners, transporting the New Levies to Albany, victualing them in the Mohawk's Country, removing Cannon from Saraghtoga to Albany, payment of his house Rent, compleating the house in the Forts, making Stables, and other conveniencies, as also for a Commanding Officer to the Troops raised by the Province. He concluded his speech with recommending peace, harmony & dispatch.

On the 17th of Febry Mr Clinton laid before the Council several letters from the frontiers, containing advice that the French were preparing an expedition against the English.

And on the 18th he acquainted them, that he had, in consequence of that advice, directed enquiry to be made among the Indians concerning the designs of the French; and the Council further advised him to send out scouts to watch the motions of the Enemy, and to recommend it to the Assembly to make provision for them.

On the same day the Assembly presented their Address to the Govr in answer to his speech, wherein, they assured him, that they should with all dispatch enter into the consideration of the several matters he had recommended to them, and provide such supplies as might be necessary for the defence and security of the Colony and annoyance of the Enemy.

The Govr then sent them a Message, acquainting them with the advice he had received concerning the designs of the Enemy, & recommended to them to make provision for Out Scouts, and the Interpreter he had sent amongst the Indians.

On the 20th of Febry 174$\frac{7}{8}$. a Committee of the whole house upon Mr Clinton's speech took into consideration that part of it, which related to the agreement of the Commissioners for carrying on the War, and reported it as their opinion, that the alteration proposed by the

Massachusets Bay, would defeat the ends of the agreement, and therefore that the house ought not to agree to those alterations; in which opinion the house unanimously concurred.

On the 23rd the house came to several Resolutions to make provision for the repairs of Fortifications for the pay of a detachment of Militia posted at Oswego, for provisions for the said detachment, and also for the double Garrison of regular Forces at Oswego, for discharging the expence of furnishing goods to the Gunsmiths sent among the Indian Nations, for an allowance to a Gunsmith in the Seneca Nation, for the payment of Out Scouts and for furnishing and compleating the Govr's house.

On the 24th the Govr laid before the Council an extract of a letter from the Duke of Newcastle to Mr Shirley, recommending to Govr Clinton and him to take necessary measures to cultivate and secure the friendship of the Indians, and to protect and defend them against their Enemies; for which purpose presents were to be made to them, and the expence reimbursed.

This paper was referred to a Committee, which on the 29th Reported:

1st That a proper person should be sent amongst the Indians furnished with presents, to disswade them from going to Canada, and to assure them, that a conference would be held with them next summer.

2nd That the Forts already begun upon the frontiers should be forthwith finished, and others built in proper places.

3dly That proper measures should be taken to induce the other Governts to furnish their quotas of assistance for the expedition agst Crown Point.

4thly That it should be recommended to Admiral Knowles to send some of his ships up the River St Lawrence to make a diversion.

5thly They submit it, whether it would not be proper to maintain a garrison at Crown point, in case the expedition should succeed.

6dly That they recommended it to the Govr to examine into the State of the stores of War provided at His Majty's expence, that, in case the expedition proceeded, the other Colonies might furnish their proportion.

Lastly, that the Commissrs of the several Colonies, should meet at some convenient place as soon as possible.

On the 1st of March the Govr laid the extract of the letter of the Duke of Newcastle before the Assembly, and recommended to them to concur with the other Governts in carrying some vigorous enterprise into execution.

On the 3rd the House came to several resolutions; for building two New Blockhouses, at Schenectady, for fire-wood and candles for fourteen Blockhouses at Schenectady & Albany, for preparing Stockadoes at Albany, and for purchasing five barrels of Gunpowder to be put into the hands of the Commissrs, in lieu of a like quantity delivered by them to the Commanding Officer at Albany.

On the 4th Mr Clinton sent a Message to the Assembly acquainting them, that, upon finding he could not retain 13. Companies of the Levies on the pay of the Province, he applied to the Govr of Connecticut to raise three in that Colony, which was accordingly done. But being one more than the late Assembly had provided for, he recommended to them to take that Company into the pay of the Province, as an additional security.

The same day the House came to a resolution to make an allowance for the pay of the Rangers employed in scowring the Woods on the Northern Frontiers.

On the 28th the Govr being indisposed, the Chief Justice, by his directions, laid before the Council two letters from Govr Shirley proposing a meeting between him and Govr Clinton, and an interview with the Indians, and approving the measures Mr Clinton had taken in consequence of the Duke of Newcastle's letter.

Which letters were referred to a Committee, who on the 29th reported, that an expedition against Crown Point would not fail of having a good effect, in retaining the Six Nations of Indians in the British Interest; that they recommended it to Mr Clinton to send a Message to the Assembly, to induce them to declare themselves chearfully on this point, and to acquaint them, that, in case of success, he and Mr Shirley would join in keeping any Fort that might be taken from the Enemy at the expence of the Town. That as Mr Shirley in his letter had approved of the proposal for sending Coll: Johnson among the Six Indian Nations to prevent their going to Canada, for building Forts amongst those Indians, and for employing parties of them in the Acts of Hostility, they recommended to His Excellcy to carry those measures into execution, and were of opinion, that his Meeting Govr Shirley and holding an interview with the Indians would be for the publick service.

On the 30th Mr Clinton sent a Message to the Assembly, earnestly recommending to them the several points, which the Council had advised him to recommend to them.

On the 31st a Committee of the whole house, upon the said Message and papers therewith laid before them, reported; that they acknowledged His Majty's favour in directing, that the Indians should be protected and secured in the British Interest at the expence of the Crown; that the Province ought to join with the other Colonies in any well concerted scheme, and that provision should be made to enable the Commissrs of this Colony to meet those of the others, and concluded on proper measures. To this Report the house unanimously agreed.

On the same day the house resolved to make an allowance to the Govr for monies advanced by him for Scalps and prisoners.

On the 1st of April they resolved to make provision for the pay and subsistance of 800 Men, officers included, posted on the frontiers, For additional allowances to such of them as should be employed as Rangers, and for Out Scouts on the different parts of the Frontiers.

On the 9th of April, Mr Clinton with the advice of Council gave his assent to the following Act:

"An Act to make provision for several services for the defence and security of the frontiers"—

By this Act, Commissrs of Fortifications are appointed. Commissrs are also appointed for the pay of the Rangers and out Scouts, and for providing firewood and candles for the Forts and Blockhouses upon the Frontiers; and the Treasurer is directed to pay to the Commissrs the several sums mentioned in the Act without any warrant from the Govr and Council; payments are also directed to be made in like manner to persons named in the Act for purchasing & transporting provisions for the use of the Troops, and for other Military services, relative to the security of the Province.

"An Act for the payment of salaries, services and contingencies of the Governt"—

In this Act the usual allowances are made to the Officers of Governt in the same manner as practiced by former Acts of the like nature. But there is a clause in this Act, for appointing Robert Charles Esqre Agent for the Colony, and making an allowance to him for that service. This seems to be a very improper appointment, and ought to have been provided for by a separate Law. Mr Clinton likewise complains, that this appointment was made without his knowledge or consent.

"An Act for raising the sum of £1800 by a Lottery"

On this Act Mr Lamb observes, that, although the money thereby to be raised, is directed to remain in the hands of the Treasurer, to and for the purpose of founding a College and to no other use whatever, a very extraordinary clause immediately follows, enacting, that, if any member should thereafter move for applying the said money to any other purpose, he should be incapable of sitting in that or any future Assembly, Mr Clinton likewise complains, that by this Act Commissrs were nominated for that trust without his being consulted.

After passing these Acts, Mr Clinton adjournd the Assembly to the 2nd of May; which, by the advice of the Council, was further continued to the 23rd.

Mr Clinton, in a letter to the Board of Trade dated the 22nd of April 1748, acquaints them with the measures he had taken in consequence of the Duke of Newcastles letter to Mr Shirley, and the recommendations he had made to the Assembly upon that occasion. He complains, that the Assembly had only declared themselves in general terms, and that their conduct plainly shewed that they did not want to annoy the French in Canada, but rather to preserve the neutrality, with which he had so often acquainted the Board. He then observes, that the Indians were uneasy at the laying aside of the Canada Expedition, which, together with the information he had received, induced him to send Coll: Johnson among them, with orders to make them presents, compleat their Fortifications, and engage them in Acts of hostility against the Enemy. Mr Clinton concludes his letter with complaining of the Assembly's manner of appointing their Agent, and observes, that he is to act independent of the Govr and Council, and desires that the Board would not receive any memorials from him in that character, unless by previous notice from him.

On the 23d of May 1748. Mr Clinton communicated to the Council, a letter from Coll: Johnson, transmitting a Journal of his transactions at an interview with the Six Nations, and recommending a Law to be passed, to prohibit the buying of arms, amunition and cloathes from the Six Nations and their allies.

Mr Clinton likewise laid before the Council a letter from Mr Stoddert, relating to the designs of the French, to enter upon an expedition against the English.

It appears from the Journal of Coll: Johnson's transactions with the Indians, that they complained of their kindred being detained prisoners at Canada. Upon which the Council advised the Govr, to send to the Govr of Quebec, to acquaint him that he was willing to exchange some French prisoners for those of the six Nations prisoners in Canada.

These papers were then referred to a Committee and the Council advised the Govr further to adjourn the Assembly to the 6th of June; on which day the Committee of Council made their Report upon the forementioned papers, wherein they advised Govr to send provisions into the Country of the Six Nations for their present relief, and that they should likewise be supplied with provisions on their Journey to Albany; and that it should be recommended to the Assembly to pass a Bill for [preventing all persons whatsoever[1]] purchasing arms, amunition and clothes from the Six Nations

On the Sixth of June the Assembly met and were further adjourned to the 21st on which day Mr Clinton sent a Message to them, desiring that, as the season of the year would not permit their providing for the services he had before recommended to them, he now recommended them again to their consideration, that from papers which he should now lay before them, they would see that there was great danger of a general defection of the Indians,

[1] The words within brackets are added from *New-York Council Minutes*, XXI, 308. See title of the Act, *infra*, p. 687. — Ed.

unless they were engaged in some enterprize; that therefore he hoped, they would unite with the other Governtˢ in executing the agreement which had been made; that he had invited the Six Nations to an interview at the beginning of the next month, but that it would have little effect, unless the purchasing of Arms, cloathes and Amunition from them was prohibited; for which purpose he desired, an Act might be passed. That he recommended it to them to make provision for the repair of the Fortifications, a state of which he had ordered to be laid before them. That he had likewise ordered to be laid before them several papers relating to the danger, the sea coast was exposed to, from the Enemy's privateers. That he had received complaints from the Govr of Canada, that there was no Cartel settled for the exchange of prisoners between the two Governtˢ. He recommended it to them to provide for the necessary expence of the maintenance and exchange of prisoners, particularly those of the Six Nations, and for rewards for scalps and prisoners. He then acquainted them, that he had appointed Colonel Johnson, Col: of the Levies, and exhorted them to make him an allowance suitable to that Command, and to continue the Troops upon the frontiers in the pay of the Province.

On the 24th of June 1748. Coll: Beckman acquainted the house, that he was informed, that, upon some of the New Levies suing their Captn for their pay, the Govr sent orders to the Judge to put a stop to the proceedings, and ordered letters to be wrote, one to the Clerk of the County to prevent his issuing writs for such demands, the other to the Sheriff to prevent his executing of them. Upon this occasion a Comtee was appointed to examine into this affair.

On the 27th the Speaker communicated to the house a letter, which he had received from the Govr wherein he acquaints him, that he had heard of Coll: Beckman's information, that he had only recommended to the Officers of the Court to put a stop to the claim of those deserters, who went off with His Majtyˢ arms and cloathing, and had thereby forfeited their pay; that if such a step could be construed a violation of the Laws, it was done thro' inadvertency, and he was ready to redress any damage that might have been received thereby.

The same day the Assembly came to a resolution, that the Govr should be desired to send a Flag of Truce to Canada with twenty five French prisoners, to be exchanged for such of the inhabitants of the Colony and of the Six Nations as were prisoners there, and that they would make good the Expence.

On the 29th of June 1748. the Comtee to whom the Govrˢ Message of the 21st had been referred, reported their opinion, that the consideration of the services recommended by the Govr would more properly fall under the consideration of the House, at the usual time of providing for the services of the current year, that further subsistance[1] should be made at that time for the subsistance of such a number of Men, as should be necessary to defend the frontiers, and that the consideration of the Fortifications and the protection of Trade should then take place also.

That they were not a little surprized that the Govr should press them to unite with the other Governtˢ, to execute the agreement entered into with them, as that house had always shewn itself ready, the Province of the Massachusets Bay had ever refused, to comply with the terms, and had withdrawn their warlike stores from Albany.

On the 30th the Govr laid before the Council the Resolution of the Assembly of the 27th relating to the exchange of Prisoners, and was advised to send the French and Spanish prisoners now in the Colony to Canada.

[1] provision. *Journal of the General Assembly*, II., 241. — Ed.

On the 1st of July Mr Clinton, at the Assembly's desire, adjourned them to the 9th of August, having first given his assent to the following Act.

"An Act to prevent buying from or exchanging with the Indians any Arms or other presents, "they may receive by his Mty's orders."

The provisions of this Act appear to be reasonable, and well calculated to prevent the mischiefs which gave rise to its passing.

On the 8th of July 1748. Mr Clinton having recommended the peace of the City and County to the care of the Council, embarked for Albany. The Members of the Council, that attended him thither, were: Mr Colden, Mr Chief Justice De Lancey, Mr Livingston and Mr Kennedy

On the 21st Mr Clinton acquainted the above mentioned Council, that the pay provided for the province Troops, was all expended, desired their opinion, whether he might continue them some time longer in service, in confidence that the Assembly, when they met would pay them, and was advised to continue them accordingly.

On the 23rd Mr Clinton and Mr Shirley had an Interview and conference with the Six Nations and their allies, when they solemnly promised to remain steady in the British Interest, not to go to Canada, nor to hearken to the insinuation of the French.

On the 9th of August 1748. Mr Clinton laid before the Council His Majty's proclamation for a cessation of arms, which was ordered to be published.

Mr Clinton and Mr Shirley in a joint letter to the Board of Trade, dated the 18th August 1748. giving an account of the proceedings at Albany, represent, that, when they received the King's commands to concert measures for securing the Six Nations in the British Interest, those Indians were under great uneasiness from the disappointment, they had met with, by the expedition agst Canada not taking place; that the insinuations of the French, assisted (as they suspected) by some of the Inhabitants of Albany with a view of obtaining a neutrality, had made such an impression on them, that they were ready to send a solemn Deputation to Canada; that, notwithstanding these difficulties, the Interview at Albany (at which an extraordinary number of Indians were present) and the presents then given, had prevented their going to Canada. That the Indians were greatly affected with the intelligence they got at Albany of the preliminaries being signed, and a proclamation published for a cessation of Arms; that in these circumstances all was obtained from them, that could be proposed; that every thing had been done that might convince them of the advantages they would reap from a strict friendship with the English, and that the necessary expence on this occasion had been very great; but that all this would have failed of success, had not some neighbouring Nations offered to join with them in a vigorous attack upon Canada; that there was at that time a good opportunity of promoting the English Trade and Interest, which might best be effected by employing proper persons amongst the Indians, to inform themselves of every thing, which may promote Trade, and hinder the Indians from being cheated.

That the Commissrs to whose care the Indian Affairs had been committed, were by no means proper persons, for which they were assigned many reasons; that the time of peace was in all respects the most proper for the execution of this attempt, and therefore they recommend the setting about it immediately. Mr Clinton & Mr Shirley conclude their letter with recommending to the Board the prayer of a memorial presented to them by the Massachusets Bay, desiring that the Southern Colonies may be obliged to bear a just proportion of the charge of defending the Inland territories of the Massachusets, Connecticut and New York.

On the 24th of Septr Mr Clinton acquainted the Council that there were only provisions for the Forces on the Frontiers till the 1st of October, and that, if a supply was not procured by that time, there was reason to believe they would disband themselves. That he had already mentioned this to the speaker, who thought it as yet improper to disband the Forces, and that he had sent to several Members of the house, who were of the same opinion. Whereupon the Council advised His Excellcy to supply them with provisions till the 21st October.

On the 4th October 1748. Mr Clinton communicated to the Council a copy of the speech he intended to make to the Indians of the Six Nations then at Albany, in which he thanked them for their assurances, that they would not go to Canada, but rely on him to get their prisoners released; assured them that he would use his best endeavours with the Govr of Canada for that purpose, and that he would restore no French prisoners to him, till their prisoners should be restored, or security given for restoring them.

The Govr also laid before the Council a letter from Captn Stoddart, advising that the Commissrs at Albany had refused him provisions for his company, saying, they had no orders to issue any, which His Excellcy was the more surprized at, as he had sent his Secretary to Mr Richards to desire him to send such orders, and had received for answer, that he would sent them; whereupon, Mr Richards being called upon for the reason, why he had not sent orders accordingly, returned for answer, that he had consulted Mr Van Horne the other Commissioner, who would not agree to send more provisions or to do any thing further, they having fulfilled the Act. Mr Richards being then asked, if he would send up provisions upon the Govr's written order, answered he would not. Whereupon the Council ordered a letter to be wrote to the Commissrs at Albany, recommending to them to supply the said Forces to 21st October. and inclosing a copy of their minute of the 24th of September.

The Assembly, having been adjourned from time to time to the 12th of October, met on that day, and on the 14th Mr Clinton in a speech to them, congratulated them on the near prospect of a General peace; but, as it was not finally concluded, recommended to them to take the necessary precautions for the security of the province, by continuing the Troops at Albany some time longer in the pay of the Province. He reminded them of the unprecedented manner in which they had hitherto granted his salary and those of the other Officers. He told them that the inclination, with which he came to the Governt to do every thing for the ease of the people, and the advice at that time given him, had induced him at first to assent to the yearly Act, and the war with France had ever since prevented his refusing his assent to those Acts; but that the conclusion of the war, and the experience he had had of the tendency of those Acts, had now determined him, to put a stop to those innovations, and that he did not think himself at liberty to assent to the like Acts for the future. That he was not seeking any augmentation of salary, in what he recommended, and if they chose to express in the Act the sum to be paid for each Officer's salary, he should not oppose it. That the principal objections he had to their present manner of granting salaries from year to year, instead of for five years, were, that Grants and matters of a different nature were intermixed in those Acts, and that salaries were appointed to Officers personally by name and not to Officers for the time being, which he desired them to avoid for the future. He then recommended to them to pay the large sums due from the Province to Coll: Johnson, for which the honour of the Governt was engaged; to make provision for paying the arrears due to the Troops, for continuing those posted on the frontiers, for the expence of Messengers ettc. on account of the exchange of Prisoners, and for compleating the Govr's house and Stables.

On the 19th 1748. The Assembly prepared an Address to Mr Clinton in answer to his Speech in which they thanked him for his congratulations on the prospect of a general peace, which being so near, they thought it their duty to have regard to the grievous and heavy burthen of Taxes, which the Province must sustain for many years, and not to continue the Forces at Albany in the Pay of the Colony, the three Independent Companies being, in their opinion, sufficient, for the security of the Frontiers in the present situation of affairs. They told his Excellcy that the number of regular Forces usually posted at Oswego in time of peace had been always judged sufficient for that garrison, and that they should accordingly provide for number. That when His Excellcy should send persons of higher Rank and repute than those he had employed to negotiate with the Govr of Canada concerning the exchange of prisoners, they should then have Room to congratulate him on his success, and provide for all reasonable expence on that service. That a long experience of the many inconveniencies that arose from the settlement of a five years support had determined the Assembly in Mr Clark's time to depart from that method, and the good effects of an annual support to the Govr and of the Grants to other Officers of Governt personally and by name, gave them the greatest reason to continue the present method. That had the grants been made to Justices for the time being, His Excellcy (being under the influence of a person of so vile a character, that it was astonishing he should persist in submitting to his Counsels) would have filled the Office of Third Justice, with some unworthy person. That when his Excellcy gave his assent to the first Act of this Nature, he was apprised of the sentiments of the Assembly on those heads, and well advised in so doing. That he had acceeded to those terms, for good Reasons, and valuable considerations, and they were sorry he did not think himself at liberty to assent to such Acts for the future, because they were so well convinced, that the method was salutary, that they could never depart from it. They concluded with assuring him that all the other matters he had recommended should have their due weight with them.

On the 20th October 1748. a Commtee of the whole house upon the Govr's speech resolved to grant £3600 for the payment of the Forces on the frontiers to the 1st Novr next, and so make immediate provision for the Detachment of Militia posted at Oswego to the 15th of Septr next.

Mr Clinton in his letter to the Board of Trade of this day's date, repeats his complaints of the incroachments of the Assembly on the King's prerogative and authority; recites the several steps they have taken to get the executive power of Governt into their own hands, and adds, that the prospect of a general peace, gave him hopes of being freed from the difficulties the Assembly had laid him under, in making provision for the defence of the Country, and of putting a stop to the usurpations of the Assembly. For these purposes he proposes: the repeal of the Act for the payment of Salaries, tho' it had already in most parts taken its effect, and desires the Board to Consider, what Instruction or other method may conduce to this end.

On the 21st Octr 1748. Mr Clinton, who had delayed appointing a time for receiving the above address, sent a Message to the Assembly, acquainting them, that, their being in the copy of their address, which he had seen, no regard to the decency due to his character, he did not think it proper to receive it, but that business might not be at a stand, on that account,[1] to answer every part of it; that he had no private interest but the security of the province in view, in recommending the continuance of the forces in pay, and that no nation ever disbanded their Forces before a peace was concluded; that he had reason to think the person, he had instructed to go with the prisoners to Canada, had behaved himself properly. That having

[1] *Sic.* Qu? he proceeds, &c. — Ed.

since desired the Gentlemen of the Council to name persons, whom they thought most proper for this service not one of them had named a person, but had given it as their opinion, that nobody of distinction would be willing to go; that he feared his endeavours for the relief of prisoners would now be obstructed, since doubts might be entertained of their paying the expence of such service. That he was better acquainted with the persons whose characters they had given him, than they could be; he repeated to them, that till he should know His Majᵗʸ's pleasure, he should not assent to any Bill for an annual support. That notwithstanding that they might provide for the arrears due the Forces, and other debts and services he had recommended to them. That he should not refuse his assent to any Bill calculated for His Majᵗʸ's service, and should do them justice to transmit to the King's Ministers a copy of the paper they called an Address.

On the same day Mʳ Clinton communicated to the Council the resolves of the Assembly, relating to the pay and dismission of the Forces posted at Albany and the detachment of Militia at Oswego. Whereupon the Council advised His Excellᶜʸ to represent to the Assembly the impracticability of removing the said Militia by water; and to recommend to them to subsist and pay them till the return of the season in which they could be withdrawn; they gave it also as their opinion, that the Assembly having resolved to pay the Forces only to the 1ˢᵗ Novʳ there was no remedy, and therefore his Excellᶜʸ should disband them, and recommend to the Assembly, that the money be ready at Albany by the said 1ˢᵗ November.

On the 24ᵗʰ Octʳ 1748. Mʳ Clinton sent a Message to the Assembly, in pursuance of the above advice, which Message was referred to the Committee, to which the speech had been committed.

On the 26ᵗʰ a Commᵗᵉᵉ upon Mʳ Clinton's Message of the 21ˢᵗ proceeded therein, and it appearing, that Mʳ Clinton, when desired to appoint a time for receiving the address, had said, he had not seen a copy of it, and that a copy had thereupon been given to him by one of the Members sent on that occasion, they came to the following resolution;

That it was irregular to send the Govʳ a copy of any address intended to be presented, and that he had no right to insist on any such copy.

That it was the undoubted Right of the house to have access to the Govʳ.

That the Govʳ's denying access to this House was a violation of its Right, was contrary to his promise made to the speaker when presented to him, and tended to the destruction of all intercourse between the several branches of the Legislature, and consequently to the subversion of the Constitution.

That whoever advised his Excellᶜʸ to deny access to the House, was an Enemy to the Assembly and the people they represent.

On the 27ᵗʰ of October 1748. a Commᵗᵉᵉ of the whole house upon Mʳ Clinton's Message of the 24ᵗʰ inst: reported their opinion:

That, it appearing by informations from several Gentlemen of Albany that the Detachmᵗ of Militia at Oswego can return by land, the Govʳ be desired to send orders for the return of the said Detachment.

Which resolution being sent to Mʳ Clinton he returned for answer, that he would give immediate directions accordingly.

Mʳ Clinton in his letter to the Board of Trade of the 30ᵗʰ October 1748., represents, that he had taken all the moderate measures in his power to reconcile the differences with the Assembly, but that the obstinacy of the Faction could not be overcome, but by His Majesty's authority.

That he had neglected no opportunity of taking the advice of the most proper persons with regard to his conduct. That when Mr Shirley was last summer at New York, he had taken that opportunity of informing him of the State of the province, & was pursuing the measures Mr Shirley advised him to take with the Assembly. That it was by Mr Shirley's advice and assistance that he had prevailed on Mr Colden to return to the Council, and assist them in private; That the paper they called an address was a fresh proof of their malice to that Gentleman, and ought at the same time to convince the Board of Mr Colden's good Character since they had not been able to point out one single Act of misbehaviour, notwithstanding their virulence against him. That it may be naturally concluded from the Assembly's publishing the copy of their address in their Minutes, after he had told them, that he should transmit it to the King's Ministers, that they will not wait the King's determination on differences of that sort, but set up the people as the dernier resort. He concludes with recommending to the[ir] consideration the conduct of the Assembly, and desiring them to find proper methods to preserve His Majtys authority.

On the 1st 2d and 3rd of November 1748. several petitions were presented to the Assembly praying payment for sundry services performed amongst the Indians and upon the Frontiers, and on the 4th the house came to several Resolutions for making provision for the said services, as also for repairing some of the Fortifications, and other contingent expences, out of the moneys raised by the Act for emitting £13000 and £28000 in Bills of Credit.

On the 10th November Mr Clinton laid before the Assembly Coll: Johnson's account, and recommended to them to make provision for payment thereof as soon as possible.

On the 12th of November Mr Clinton prorogued the Assembly to the second Tuesday in March following, and, in a speech made to them on that occasion, he took notice of their resolves of the 26th of October, upon his refusing to receive their address, and observed to them, that their disrespect to him was the cause of it.

That in this case, they assumed priviledges greater than those of the House of Commons in England.

That in all differences betwixt them there was a Legal method of Redress; that he did them the justice to acquaint them, that he should send the address to His Majtys Ministers, but that they declined all Justice in ordering it to be printed.

That in most of the Bills they had prepared for his assent, they had assumed the executive powers of Governt; but that the necessity of the service obliged him to give his assent to them.

The Acts passed by Mr Clinton this sessions were as follows, vizt.

"An Act to continue the Act for support of Governt for one year"—

On this Act Mr Clinton, in a letter to the Board dated the 15th Novr, observes, that this is the same title as the Acts by which in the time of his predecessors money was granted for the support of Governt, to be issued by warrt of Govr and Council, but that by this Act, the money is to remain in the Treasury, till drawn out by some subsequent Act, and that he gave his Assent to it, least the duties for the support of Governt should cease.

It must however be observed, that this Act is the same as others which have been passed for the same purpose since the year 1737.

"An Act for the payment of Forces on the Northern frontiers."

Mr Clinton observes, that he was under a necessity of passing this Act, least the forces raised for the defence of the frontiers should be dispersed without their arrears. That he had however many objections to it:

1st That Paymasters were nominated in the Bill, without his consent, and notoriously disaffected to him.

2nd That the money was to be paid to the private soldiers respectively, and not to the Captains, who were likely thereby to become great sufferers, having advanced money to the Men, during the time no provision was made by the Assembly.

"An Act to support the Trading House and Garrison at Oswego."

Mr Clinton observes that this Act was necessary, as the beneficial Furr Trade of the province depends upon it, but that the Assembly have made an extraordinary Innovation by directing the Forfeitures to be sued for in the name of the Commissrs, though the money is granted to the King.

There were besides the above mentioned Acts two others past by the Council & Assembly, to which the Govr refused his assent vizt.

"An act for defraying several contingent charges of Governt"—

On this Act Mr Clinton observes:

1st That the charges are not said to be made for his Majesty's service.

2ndly That all the payments are to be made without Warrant from the Govr.

3dly That provision is made for payment of services done by persons not employed by him, and the services of persons employed by him neglected

4thly That by this Act, all the Gunpowder which the Assembly purchased and placed under a Storekeeper of their own appointment, is directed by this Act to be sold and the money applyed to defray the charches allowed by the Bill, without having a single pound of Gunpowder allowed him for the defence of the province.

"An Act for the payment of the salaries, services and contingencies for one year."

Mr Clinton referrs to his speech to the Assembly on the 14th of October for his reasons for not assenting to this Act.

In his aforementioned letter dated the 15th of November, he again presses the Board to send him instructions for his Conduct; for until that was done it would be to no purpose for him to meet an Assembly; this is again repeated in a letter from Mr Clinton dated the 24th of Febry following, wherein he largely expatiates upon the designs and proceedings of Mr De Lancey and the Faction; but there is nothing contained in this letter, which has not been fully set forth in former parts of this State.

On the 14th of March 1748 Mr Clinton communicated to the Council a letter from Mr Lydius, advising him, that he had been inform'd, that the French had sent to the Five Nations to prevail with them not to join the Ottewawas, with whom they were apprehensive of a war; whereupon the Council advised Mr Clinton to send a proper person to the Six Nations, to represent to them, that if the French or their Indians should attack the Ottowawas, who are allied to the said Nations, it would be incumbent upon them to assist them, and that if the French should resent it, His Excellcy would support them; to remind them also of their promise made at the last Treaty, to deliver up any French which might come amongst them, to his Excellcy, or any person he should send, and therefore, to insist, that, if any French are now amongst them, they should be sent to Col: Johnson.

The Assembly appointed to meet this day, and were adjourned to the 11th of April, and by subsequent adjournments to the 27. of June.

On the 2nd of May 1749. Mr Clinton transmitted to the Board several Depositions, relating to an insult offered to Mr Holland one of the Council and Mayor of New York, by Mr Oliver De

Lancey, brother of the Chief Justice, which in his letter to the Board, he urges as a further proof of the malice of the Faction, and observes, that a prosecution of Mr Oliver De Lancey was prevented by the Influence of his Brother.

On the 10th of May his Majty's proclamation for a due observance of the peace was published.

On the 18th of May Mr Clinton laid before the Council a letter from Coll: Johnson, acquainting him, that, that part of his and Mr Shirley's letter to the Govr of Canada, wherein the Six Nations are mentioned as vassals and subjects of the King of Great Brittain, having been maliciously represented by the French, had occasioned great uneasiness amongst these Nations, which he had with great difficulty removed; and recommending the sending a person to Oswego to confer with the Far Nations, who had offered their service in the War.

On this letter the Council advised the Govr to direct Col: Johnson to acquaint the Indians, that the words "subjects and Vassals" meant only such as are under the protection and paternal care of the King of Great Brittain; and also advised the sending a person to Oswego with presents for the Far Indians.

On the 3rd of June 1749. Mr Clinton in a letter to the Board acquaints them, that the Govr of Canada had sent Emissaries amongst the Six Nations, to debauch them from their fidelity to the English, and to prevail upon them to go to Canada, to humble themselves for having entered into the war against them; that he also threatened war against a Nation upon the Lakes who had joined us in the war against them, and greatly distressed the Trade.

That he was doing every thing in his power to defeat those designs, but as the Governt was without one farthing for the support of it, or to defray any expence, he was under a necessity of defraying this expence of preserving the Indians out of his own Pocket. That he had sent an Interpreter with provisions and Amunition, to meet the Missisagues at Oswego, and encourage them in the confidence of being supported against the French.

That it was of the greatest consequence he should be enabled to preserve the fidelity and affection of the Indians, by whose steadiness in the war, that province had been preserved, and the French commerce to the Westward almost entirely destroyed, [which] had it not been for the opposition given to him by the Faction, would have been irrecoverably lost to them.

That he must again recommend it to their consideration to support his Governt & strengthen his hands by proper Instructions.

On the 27th of June 1749. The Assembly met pursuant to the several aforementioned adjournments, and on the next day, Mr Clinton in his speech, congratulated them on the reestablishment of peace, and enjoined them to grant a revenue for the support of Governt, conformable to his Commission and Instructions; that as soon as he should receive their answer to his demands, he should lay before them what he thought further necessary to His Majty's service; at the same time Mr Clinton laid before them such part of his Commission and Instructions, as relate to the granting a Revenue for the support of Governt.

On the same day, Mr Clinton communicated to the Council a letter from Captn Marshall, containing intelligence of the march of a large Body of French from Canada to Belle Riviere, to prevent the English settling in those parts.

Whereupon the Council advised him to give intelligence to the Govrs Hamilton and Shirley, and to write a letter to the Govr [of] Canada, expostulating with him upon such proceedings.

On the 1st July 1749. Mr Clinton laid before the Council the depositions of several persons, relating to some disrespectful words spoken against the Govr by Mr Oliver De Lancey, whereby it appeared, that the said Oliver De Lancey had averred, that the Govr was an errant Villain,

Scoundrel and Rascal. Upon reading these depositions in Council, Mr Chief Justice declared his abhorrence of such words, and desired leave to withdraw; the Council having taken these depositions into consideration were of opinion, that the words spoke by Mr Oliver De Lancey, were highly injurious and disrespectful, and, as they tended to excite Sedition, they advised the Govr to order the Attorney Genl to prosecute said De Lancey. Mr Clinton transmitted these depositions to the Board of Trade, observing that such proceedings were countenanced by the Faction.

On the 5th July 1749., a Committee of Assembly appointed to prepare an address in answer to Mr Clinton's speech, made their Report, and the Address was read. In which they acquainted the Govr, that they differed in their sentiments on the construction of those extracts of his instructions which had been laid before them; that there appeared no Royal injunction in them to grant a Revenue for the support of Governt for five years, of which method Govrs were fond of engrossing the Sweets, and from which no Benefit ever had or could result to the people. They perceived no difference, as to His Majtys service and the Royal attention, whether the Officers of Governt were supported annually or for five years; and that as Mr Clinton had not acquainted them with the sentiments of the King's Ministers on that point, they could not but continue in the same opinion. That the long delaying to pay just demands for publick services was not owing to them, but, to the unreasonable prorogation of the Assembly. That they could give no other or better answer to his speech, than, (as they had already told him) that they were assured, that the faithful representatives of the people would never recede from the method of an annual support.

This address being presented to Mr Clinton, he refused to receive it, till he had seen a copy of it, with which the House being acquainted, resolved nem: con: that it was irregular for the House to send His Excellcy a copy of any address, and that he had no Right to insist on any such copy.

On the 7th July 1749. Mr Clinton in a Message to the House occasioned by the above resolve, insisted he had a right to be informed of every thing that passed in the House, and to restrain them, if they went beyond their just bounds. He told them, that the precipitate manner, in which the address passed the house, had given him reason to suspect a design of making him receive by surprize, what was not proper to be received, but that now he was acquainted with its contents and was ready to receive it.

Accordingly the address was presented, and on the 12th Mr Clinton returned an answer to it in a Message to the following effect. He desired them to reflect on the gentleness of his conduct, ever since the differences had subsisted between them, and on their own continued endeavours to calumniate his Administration without regard to truth. He reminded them of the advantage he had gained to the British Interest by his conduct with the Indians, and of the danger of losing those advantages by their neglecting to enable him to prosecute the measure he had taken. He told them that he had been obliged to advance his own money and use his own credit for the expence of exchanging prisoners, there being no Man that would advance money on the Credit of their Resolves, which was no wonder, when it is considered, that notwithstanding the assurances they had given him, that they would provide for the expence of twenty five prisoners sent to Canada at their own request, no such provision was yet made; that he was at a loss for the cause of Resentment against him, having never invaded the Right or property, or endeavoured to hurt the reputation of any Man. That they had endeavoured to mislead the people with regard to his demand, in which no mention was made of a support for

five years or even one, nor was there any reference to what he had asked in the preceding session. That his demand and the Instructions that accompanied it related to the method of issuing money; a point, in which His Majᵗʸˢ Intention could not be mistaken. That it was essential to the British Constitution, as well as the best means to prevent misapplication, that the power of granting and issuing money, should be in different branches of the Legislature. That contrary to the practice of Parliament, they had provided for services, which he had never recommended to them, nor even been acquainted with, of which he instanced the case of Messʳˢ Van Horne and Richards, and that by inserting such grants in the Bill for support of Governᵗ, they had put him under a necessity of assenting to them, or leaving the Government without support. That this was so dangerous an invasion of the King's prerogative, as could not be suffered to continue. That as on the one hand, they had rewarded services not recommended to them, without any proofs of such services, so on the other, they had neglected to provide for those recommended by him altho' proofs had been laid before them, as in the case of Col: Johnson, the greater part of whose demands remained yet unpaid. That he again demanded of them to grant a Revenue for the support of Governᵗ, in such manner that the money might issue as directed by his Instructions; that he would not assent to any money Bill contrary to those, and therefore demanded a Categorical answer. That as to other modes or forms, tho he might have objections, he would yet assent to the Bill, provided they inserted a suspending clause.

On the 13ᵗʰ of July 1749. Mʳ Clinton acquainted the Council, that Mʳ Van Horne had refused to be examined concerning the words spoken by Mʳ Oliver De Lancey, whom he had by their advice ordered to be prosecuted. That he had been informed, that the said De Lancey had, on other occasions, used the like words, and had declared his disregard of the prosecution, and endeavoured to brow-beat the evidence. That it being necessary to take further Examinations for the information of the Attorney General, the authority of the Council would be requisite for that purpose, and therefore he demanded their opinion.

On the 14ᵗʰ July, the Council gave it as their opinion that, as the case concerned the State, the Board had authority to examine witnesses, and comit them on their refusing to answer. In consequence of which advice, Mʳ Van Horne was summoned and examined.

On the same day the Assembly prepared an address in answer to Mʳ Clinton's Message of the 12ᵗʰ; in which they set forth, that the dispute subsisting between them and His Excellᶜʸ was not of long standing, as might be concluded from his words, but arose from his demand of a five years support in October last; and his speech at the opening of the present session had given sufficient occasion for the continuance of that dispute. That in answer to the charge of breach of promise, in relation to the twenty five prisoners sent to Canada, such part of that service as was not provided for was only postponed till the accounts thereof were delivered, and that part of Coll: Johnson's demands had been postponed for the same reason; that as his Excellᶜʸ had asserted, that he never had invaded private liberty or property, they wished the breaking open the Storehouse at Albany, the putting a stop to proceedings in cases of private property in Dutchess County, and other things of the like kind, could be burried in oblivion. That the whole of his speech seemed to mean, *an indefinite support, if not one for five years*, and therefore it was he that endeavoured to mislead the People. That if they were only to make provision for such services as were recommended to them, half of the necessary ones would be left unprovided for. That as to moneys given to private persons, for services of which his Excellᶜʸ was ignorant, such were always mentioned in the Act that directs the payment of them; and

that in the case of Messrs Van Horne and Richards, his Excellcy has consented to the employing of them, and might have seen and examined their accounts, if he would have given orders for that purpose; if he would not, it was no default of the Assembly. That they knew it was the custom of Parliament to leave to His Majesty the disposition of money raised for the publick service, but that there was great difference between the condition of such subjects as lived under His Majty's immediate Governt and those whose unhappy lot it is to be under the command of the Govrs of Provinces; that the King neither had nor could have interest seperate from his people, and therefore the Nation reposed such intire confidence in his Majesty. That in cases of misapplication, the subordinate Officers, to whom it must be owing, could be punished by Parliament; but that the Govrs of Plantations, being generally strangers to the people, whom they are sent to Govern, and having no estates in the Colonies to which they are appointed, have seperate interests, to which they make the publick welfare subservient, and employ all means to raise Estates to themselves; that should publick moneys be left to their disposition the grossest misapplication would be the consequence, in which case the Govrs could not be called to account by the Assembly, and no security was to be hoped from the Council, who might be intimidated by sudden suspensions; that in this situation His Majesty could never condemn an assembly for taking care, that publick money be duly applyed, and that they were informed, that practice of appropriating monies granted, was agreable to a former declaration of the Board of Trade. That they could not answer raising any money and leaving the disposal of it to a Govr, and this they hoped was a Categorical answer, but that they were ready to grant an honourable support of Governt in the manner practised ever since his Excellcy's Administration.

Mr Clinton refused to receive this address, till he had seen it in the votes, and then acquainted the house by Message on the 17th. that, since they had refused to grant a support of Governt conformable to the King's Commission & Instructions, he must let it rest, till his Majty's pleasure should be known upon it; but that he earnestly recommended to them to make provision for debts justly due from his province, whether for monies advanced, or services done, of which, accounts should be laid before them. That if they thought fit to pay any debt or service not recommended to them, he desired it might be done by a separate Bill, that neither he nor the Council might be put to restraint in consenting to it. That this was enjoined by the 12th Article of his Instructions, of which he laid before them a copy.

On the 18th July 1749. the House, upon consideration of the above Message, renewed their resolutions of the 26th of October 1748. relating to the breach of their priviledge in the Governr's denying access to the House, and came to the following additional resolves.

That the house could not proceed on any business whatever, until they were satisfied in relation to the said breach of their undoubted priviledge.

That so soon as they should receive such satisfaction they would proceed to make provision for payment of the just debts of the Colony, and such other services as demanded immediate payment.

That the long delay of payment of the publick debts was, owing to the prorogation of the house, on the 12th of Novr, by which a Bill passed for that purpose was defeated.

On the 20th July the Govr sent a Message to the house in answer to the above resolves, in which, he acquainted them, that he had refused to receive their address for the reasons he had given in his speech of the 12th Novr 1748. which he repeated to them. That he would lay their address and Resolves before His Majty's Ministers, and pray His Majty to do justice therein, which he hoped would be giving sufficient satisfaction. That in the manner they had demanded

satisfaction, they had forgot their dependency. He then urged to them the making provision for the services and debts recommended in his former Messages, and concluded with assuring them, that he should readily agree to any method of payment of debts or publick services, which had no other tendency, than to prevent Imbezzlements, and that surely some method might be found without an entire breach of the constitution, and taking the executive powers out of the King's hands.

That they would shew their duty in paying a proper regard to the Royal Instructions, from which he could not deviate.

This Message being taken into consideration on the 21st July the house resolved nem: con:

That His Excellcy's answer to their resolutions, relating to a Breach of priviledge was not satisfactory; which Resolution they sent up to Mr Clinton.

The Assembly continued to meet and adjourn without proceeding on any business till the 4th of August.

Mr Clinton in his letter to the Board of Trade of the 28th of July 1749. acquaints their Lordpps, that the exigencies of the province had obliged him to meet the Assembly, before he had received his Majty's pleasure upon matters, he had laid before the King's Ministers, of which the Faction had made a very bad use. That from his having no orders or instructions upon those points, the pressent session had brought things to a plain issue: vizt That either his Majty must support his Authority, or the Administration of Governt must be given up to the Assembly. That he had not dissolved them, being in hopes of receiving soon such Instructions as would have an happy effect on a new choice. That he hoped a perusal of the proceedings of this session would convince their Lordships of the obstinacy of the Assembly, and of his utmost endeavours to overcome it. That the Faction headed by Mr De Lancey, would rather give up the Indians to the French, and the British Interest, than yield any of their claims or expectations of power. He then complains, that while he (the Govr) could not command a penny of the publick money, he had good reason to believe, that the Speaker, by private orders of the house, drew considerable sums for the secret services of the Faction. That having ordered the Treasurer to deliver him an account of all public money received or paid since the beginning of his (Mr Clinton's) Administration, he had received only trifling excuses, instead of a proper return, and could neither oblige him to pay obedience to his order, nor appoint another Treasurer. He concludes with entreating the Board speedily to consider the dangerous State of affairs in his Government.

On the 4th of August 1749. Mr Clinton prorogued the Assembly to the 12th of September by a speech to the following effect.

That he was sorry the session must end without producing any one thing for the benefit of the people; but that it too evidently appeared, they had met, not to proceed on business but to prevent the removal of the differences subsisting; not to serve their Country but private piques, and resentments, which was evident from their not having introduced one Bill. He then took notice of their having renewed their former charges, relating to the breaking open the Storehouse at Albany, of putting a stop to proceedings in cases of private property in Dutchess County, and attempting to restrain the liberty of the press ettc. and repeated the purport of the answers he had formerly given thereto. He reproached them with their want of regard for the preservation of publick credit, and for the prosperity and security of the people; and told them, that he had kept them together near a Fortnight after they had broke off all intercourse with their Govr, in hopes the motives he had urged, would at length prevail

on them to grant the necessary supplies; and that tho' they had at last provided in some sort for those services, they had broke thro' all the established rules and orders of Govern^{t} in giving money for them. That the paragraph in the address relating to Gov^{rs} of Plantations was highly injurious to the King and his Ministers, and all His Maj$^{ty's}$ Gov^{rs}. That he had never attempted to misapply any money. That he had made diligent search for 30 years past, and was persuaded no instance could be given of any Gov$^{r's}$ making such attempt. That as he had offered his consent to any clause in money Bills, that had no other tendency than to prevent misapplication, it must be for other purposes than preventing imbezzlements, that they had treated his person with such unparalelled insolence. That by their refusing to grant supplies, conformable to the King's Commiss^{n}, to which they owed their existence, they seemed to think, they could levy money by other authority. That their claiming the sole power of issuing publick money, their appropriating salaries personally to Officers, and puting a stop to all business and Intercourse with their Gov^{r}, had, he believed, made all Men expect a dissolution of the Assembly; but that he might not be said, thereby, to have disabled them from making their defence, when called to answer for their proceedings, he prorogued them to the 12th of September.

M^{r} Clinton in his letter to the Board of Trade dated the 7th Aug: 1749. represents to them the unjustifiable proceedings and claims of the Assembly as set forth in the above speech, and his former letters to their Lord^{pps}; to which he adds, that the Faction exults in the hopes they have from the Commiss^{n} of Lieut^{t} Gov^{r} to M^{r} De Lancey, soon to get all power into their own hands. That notwithstanding all that had been done, he did not doubt, but the face of things might yet be greatly altered by the receipt of proper Instructions from His Majesty, which he intreats the Board may be speedily sent. That when he has received them, he shall be much better assured of a good choice in a new Assembly. That the Faction conceive great hopes from the Resolves that pass nem: con:, that it will be believed in England, that the whole people are dissatisfied with his Administration, and that the Ministry will give way to a general dissatisfaction; but that the truth was far otherwise. That he was assured great numbers of the most considerable people, were displeased with the conduct of the Assembly, and that, if a few loquacious members were changed, the nem: con: would be on the other side of the question, which is put out of doubt, by the Members disapproving without doors, what they have consented to within. That his having not received His Maj$^{ty's}$ approbation of the suspensions he had made from the Council, was also a great encouragement to the Faction. That when the Assembly had broke off all intercourse with him, stopt all proceedings and had thereby refused to provide for the expence of sending to Canada for the prisoners there, and for preventing the Indians from entering into Treaties with the French, the Faction, being informed that he had tried and found it practicable, to raise the sums necessary, for these services by private subscription in a day's time, had thought proper to prevent such a publick declaration against them, and had sent the Speaker, to acquaint him, that the house had privately resolved to put a sum sufficient, out of the publick money, into any person's hands he should direct. That he was obliged to comply with this, which however was a proof that all the publick money, was at the disposal of the Assembly; an instance of the manner, in which they could make use of it, for their secret services. That he hoped the importance of the matters he had represented, and the many motives that made it incumbent on him, to use every means to obtain redress, would sufficiently excuse the earnestness of his desire, to know speedily the King's pleasure on the points, of which he has complained

Mr Clinton in another letter of the 24th Septr 1749. to the Board of Trade, complains, that the Constables and other peace officers, are influenced by the Faction to disobey his orders, and for this reason he could not comply with their Lordpps instructions relating to the Number of Whites and Blacks; that the Sheriff of New York, who had only made his return the day before, could not have made any, had he not threatened to prosecute the Constables in case of disobedience. That this was a plain proof of the Rebellious spirit of the Faction, and that he had ordered the Deli[n]quents to be prosecuted, for this neglect of their duty.

On the 17th Octr 1749. Mr Clinton in a letter to the Board of Trade, again urged the necessity of His Majty's interposing his authority to curb the insolence of the Faction, against whose attempts and proceedings he recapitulates his former complaints, and intreats the speedy directions of the Board, as he imagines it will be prejudicial to the King's authority to meet the Assembly before he has received such directions.

He acquaints the Board, that the French were forming schemes, to intercept the British commerce with the Indians to the westward, and had thoughts of building a Fort on the South side of Ontario Lake, which must be on the lands belonging to the Five Nations. That should such an attempt be made, it would not be in his power, in the then present posture of affairs to prevent it. He then complains of the malicious calumnies thrown by the Assembly on him, and every person that endeavoured to support the King's authority, recommends the supporting and countenancing Mr Colden, to whom he was greatly obliged for his assistance, entreats the Board to send him Directions without delay, and for further information referrs them, to Mr Shirley, as an indifferent witness, and a good Judge of the affairs of the Province.

Mr Clinton in his letter to the Board of Trade of the 26th November 1749. acquaints them, that he had not been able to procure from the Treasurer of the Province the accounts he had ordered him to prepare on the 27th of the preceding June; neither could he obtain from him a State of the Bills of Credit in the province, tho' required by His Majty's express command, signified by letter from the Duke of Bedford; he then proceeds to lay before their Lordpps a State of the Treasury, and publick money, by which it appears, that Mr Hunter, having opposed a Faction for four years, (during which time, he, and all the officers of Governt were without support) was at last so far distressed, as to be obliged to make compliance to the Assembly, in order to obtain a support, for himself and other Officers of Governt. That he did this by yielding to them the nomination of a province Treasurer, the duty of which Office, had till then been always executed by the King's Receiver General. That Mr Hunter appointed Mr Morris to be Chief Justice, which office had never, till then been given to a Native, and by being obliged to consent to a large Emission of Paper money, he had also given rise to a paper currency in New York. That the Assembly having forced their Govr to yield and Act in contradiction to the King's instructions, continue to grasp more and more power from time to time, by which, things were at last reduced to the present state.

That Bills of credit paid into the Treasury to be sunk, have been by fraudulent means re-emitted, by which methods the faction could at any time preserve large sums for carrying on their designs, while the Govr could not command a farthing for the support of Governt. That the Treasurer thought himself secure, being not the King's but the Assembly's Officer; that while Judges head the Faction against the Govr, it is not in his power to compell obedience to any orders. He therefore entreats the Board to loose no time in taking the necessary steps for crushing the Faction, and, for that purpose, proposes, that the office of Treasurer be suppressed, and the Receiver General directed to take the publick money into his hands, and that the Laws,

from whence the Treasurer derived his authority, should be repealed; which measures he hoped, would oblige the Assembly to consent to such Laws for the issuing money, as should be consistent with the King's Commission and Instruc^{tns}. He also proposes, that some able Lawyer should be sent from England to be Chief Justice of the Province.

On the 19th of March 17$\frac{4}{5}\frac{9}{0}$ M^{r} Clinton transmitted to the Board, copies of the Information he had received of the endeavours of the French to withdraw the Indians from the British Interest, and to set these several Nations at war with each other; and represented to them, that, as there was not a farthing of the King's Revenue at his command, he was disabled from doing his duty upon this occasion. That as it would expose His Maj$^{ty's}$ Authority to contempt, if he should meet the Assembly again before he had received His Maj$^{ty's}$ pleasure on the subject of his complaint he again entreated their Lord^{pps} to send him immediate directions, and the more speedily, as the French were apprized of the publick dissentions, and were taking advantage thereof to prosecute their schemes.

M^{r} Clinton in his letter of the 3rd of April 1750, renews his complaints against the Treasurer, from whom he had not yet been able to procure the account he had demanded in the preceeding June, as above mentioned. That he had ordered these accounts, on purpose to confute the malice of the Assembly, who had insinuated, that he had converted considerable sums of publick money to his private use. That if this refusal of the Treasurer, should be thought to be with his connivance, it must be remembered, that that Officer had dared to neglect the King's commands (as above stated); that he was now confirmed in his opinion, that the Faction had applied large sums to serve their own purposes, and that this was the true reason of the Treasurer's evasive refusal, to account. That as to his own vindication, the annual Acts for payment of salaries and contingencies, prove, that he never had it in his power, to embezzle; and as to contingencies he asserts, that he is a great loser by that article. He then renews his former complaints of the conduct of the Faction, and the present state of the province, and repeats his entreaties, that the Board would immediately take them into consideration.

M^{r} Clinton in his letter of the 7th of June 1750. transmits several papers relating to the delay of the French Gov^{r} in exchanging the English and Indian prisoners in Canada; but as he acknowledges in his letter to have received the King's orders, relating to the exchange, which he was going to carry into immediate execution, it has not been thought necessary to state the correspondence between M^{r} Clinton and the Gov^{r} of Canada, or any other proceedings on that head.

In this letter he acquaints the Board with apprehensions of the designs of the French to excite their Indians, to make war with those in the British Interest, and represents, of how great consequence, it is effectually to support these Nations that joined in the war; which however he found himself unable to do, the Assembly having made no provision for any exigence whatever. He acquaints their Lord^{pps}, that he had proposed to the Council to employ the Militia, in support of the Mohawks, if they should be attacked; but that the Council were of opinion, that he could not command the militia without an Act of Assembly for that purpose. That although some Gentlemen of the Law, were of a different opinion, yet the People, having the Chief Justice on their side, would no doubt favor the opinion, which encreased their own power, and therefore he did not at that time think it proper to subject the Kings Authority to dispute, but begs the Board to take this matter into consideration, and desires also, that application may be made to the Court of France to restrain the attempts of the Gov^{r} of Canada.

On the 30th July 1750. Mr Clinton in a long letter to the Board, represented the hardships he was under, in the Administration of Govern^{t}, and complained that he had not yet obtained the least answer to any of his letters on that subject, whereby the Faction was greatly encouraged, and his Maj$^{ty's}$ faithful subjects much disheartened. That the Gov^{r} had been now two years without any support, which had occasioned such an expence to him, as he could no longer bear. That he had supported the Garrison at Oswego for a year on his own credit, but could do it no longer. That it was absolutely necessary, to meet the Indians, and make them presents on the conclusion of peace (for which the Assembly had made no provision) and that the Friends of the Govern^{t} having given it as their opinion, that he could not meet the late Assembly without prostituting the honour of Govern^{t}, he had dissolved it, and issued writs for the election of a New Assembly, to meet on the 4th of September. That altho' nothing which he had desired, had been done in support of the King's authority, and altho' Mr De Lancey was exiting[1] his influence on the people, he was persuaded, that this Election, would shew the sentiments of the province, to be different, from what the Faction represented them to be. He concluded with repeating his entreaties, to know speedily their Lord^{pps} sentiments on the affairs of the Province.

Mr Clinton in his letter of the 12th of Sept^{r} 1750. incloses some papers relating to Indian affairs, by which it appears, that, the Five Nations, at the instigation of the French, were actually carrying war with the Catabaws. He acquaints the Board that he had done every thing in his power, to prevent these mischiefs, by informing the neighbouring Gov^{rs} of the artifices of the French, and by pressing the new Assembly to grant the necessary supplies. He incloses a copy of his speech to the Council and the New Assembly, and the Council's address in answer thereto.

Mr Clinton in his speech recommended the making an immediate provision for the Garrison at Oswego, for payment of the debt contracted on the publick credit for the supply of that garrison, for the security of the frontiers, and for the expence of meeting the Indians, as had been usual at the conclusion of peace. He acquainted them, that the French were indefatigable in infusing prejudices into the Indians, and had actually excited several Nations to make war on each other; and therefore he depended on their enabling him, to pursue the necessary measures for preserving the British commerce with the Indians, and for securing the[ir] Fidelity. He then recommended to them to make provision, for what was due to the officers of Govern^{t}, and to grant a support of Govern^{t} agreable to the King's Commission and Instruct^{ns}, extracts of which he laid before them. He desired their observance of that Instruction, which forbids matters of a different nature, to be included in the same Bill, and observed to them, that the mixing services, that had been previously recommended, with those that had not, might be thought an attempt to bar the King's right of judging of the merits of his servants. He reminded them of the debt due to Col: Johnson, and concluded with assuring them, of his concurrence in every thing that might be for His Majesty's service and the good of the People.

The Council in their address upon this occasion, returned his Excell^{cy} thanks for his speech, agreed with him as to the importance of the points he had recommended, and assured him of their concurrence, in any proper measures, for the support of Govern^{t} and payment of publick debts, in the doing which they acknowledged, no better rule could be followed, than that given by the King's Commission and Instruc^{tns}, and that all deviation from those Rules had been attended with bad consequences.

[1] *Sic.* Qu? exerting. — Ed.

The Assembly, in their address presented on the 6th Septr 1750., thank his Excellcy for his declaration, that he would demonstrate his zeal for the good of the province, by acts rather than by words, and assure him, that they will consider the particulars he had recommended to them, and do therein, what they should conceive to be for His Majtys service and welfare of the Colony.

On the 25th of Septr Mr Clinton, laid before the Assembly, copies of letters and papers he had received from Govr Hamilton and Col: Johnson relating to Indian affairs, and in a message earnestly recommended it to them to make speedy provision for securing the fidelity of their Indian allies.

And on the 27th the Assembly presented an address, in answer to the said Message, setting forth, that they had always exerted their utmost efforts to secure the Indian Nations in the British Interest, and were still willing to contribute according to their abilities, but that the expence of securing the Frontiers, during the late War, had been so great, that the Colony was not in circumstances to comply, with Govr Hamilton's proposals. That those Governts to the Westward, which had received great benefit from, and scarce contributed at all towards, the said expences, ought now to be at the whole charge of securing the fidelity of the Indian Nations; and this they desired His Excellcy to represent to Governr Hamilton and other Governors. They concluded with advising Mr Clinton, to meet the Five Nations without delay, promising to enable him to make them a suitable present, and to provide, as usual, for the expence of His voyage to Albany.

Mr Clinton sent them a short Message on the 28th assuring them, that he should acquaint Govr Hamilton with their sentiments, and should be ready to do every thing in his power towards preserving the friendship of the Six Nations, whenever they should enable him to perform that service.

On the 29th the Assembly voted £800 for presents to the Indians, and £150 for the expence of His Excellcy's journey to Albany.

On the 24th of November, Mr Clinton prorogued the Assembly to the 2nd Apr: 1751. having first given his assent to the following Acts:

"An Act to revive the two Acts, therein mentioned, for and towards supporting the Governt"

"An Act for the payment of the debts of this Colony and for other purposes therein "mentioned"—

"An Act for the payment of the salaries and services therein mentioned to the 1st of "Septr 1751."—

By these Acts the arrears of salary due to the Govr and all other Officers, from Septr 1748. to 1750 (during which time the whole support of Governt had been entirely omitted and refused) are provided for and directed to be paid. Provision is also made for the service of the year 1751. and £800 is granted for presents to the Indian Nations. But these Acts are all passed in the same irregular manner as former Acts of the like nature, and are consequently liable to the same objections, the Assembly having thereby assumed to themselves almost the whole of the executive part of Governt.

Mr Clinton in his letter to the Board of Trade of the 2nd Decr, acquaints their Lordpps, that the general and particular distresses of the Colony, had obliged him at last to meet this Assembly. That he could not obtain any supply, till he had given the Speaker a promise to pass Bills in the usual manner, and that he hoped the necessity of His Majtys service, would excuse him, especially, as he had not received His Majesty's Commands in answer to the many representations he had made on this subject.

And in his letter of the 2nd of January last, in further justification of his having once more yielded to the encroachments of the Assembly upon His Majty's prerogative, he represents that the loss of the important Post of Oswego, of the great Trade carried on with the Indians, and finally of the friendship and alliance of the Six Nations, must have been the consequences of his refusing his assent to these Acts.

Mr Clinton's letter of the 29th of the same Month, informs the Board of Trade, that he proposes to meet the Six Nations at Albany in June next, and that he has invited all the Governors of His Majty's Plantations in America, either to a personal appearance there, or to send Commissrs in order to establish peace among all the Indian Nations in alliance with Great Brittain, to concert measures for the future management of Indian affairs, and to draw up a state of them, to be laid before His Majesty.

Governor Clinton to the Lords of Trade.

[New-York Papers, IIh., No. 148.]

Fort George in, New York
13 June 1751

My Lords

I informed your Lordships by my Letter of twenty ninth of January last, that I designed to invite the Governors of the neighbouring Colonies from New Hampshire to South Carolina inclusively to join with me in an interview, which I proposed to have about this time at Albany with the Six Indian Nations, and the other Nations depending on them, in order to defeat the Designs and intrigues of the French to withdraw their affections from us, and to prevent the encroachments the French are dayly making on the Indian Territory subject to [the] Crown of Great Britain and to which His Majesty has a just claim by the Treaty of Utrecht — All the Governors have severally approved of the Proposals I made, except the Government of Virginia from which I have heard nothing, tho I sent a Triplicate of my letter to the President of the Council there

The Governours respectively approved the Measures I proposed, they promised to press the Assembly their Assemblys[1] to contribute towards the expence which may be necessary on this occasion by sending of proper Presents, (without which nothing can be done with Indians) and several of them gave me hopes that their Assemblies would contribute on this occasion But that (as in the Charter Governments) the Assemblys meet on their own adjournments they could not give me any positive answer till some time in May after their Assemblies had mett; for this reason I delayed my going to Albany till the end of this month in hopes of having that meeting more solemn and effectual by the uniting the Influences of all the Governments and at the same time I called the Assembly of this Province in hopes that they would contribute farther towards the expence, which I foresaw must unavoidably be much greater than usual, if any thing more be done to the purpose; and the more to induce them I laid before them all the informations I had received, and likewise the several letters from the neighbouring

[1] *Sic.* — Ed.

Governors confirming the same: But I am sorry that after all I must inform your Lordships that all the Assemblies have refused to contribute or to enable their Governors to go personally or to send Commissioners to assist at the Interview at Albany, except Massachusetts Bay & South Carolina: The Governor of the last place has sent one Commissioner & six Indians in order to make Peace between their Indians and the Six Nations; but by what I can hear from the Commissioner their Present is by much too small to answer the Purposes designed

I transmit to your Lordships a copy of Gov^{r} Glen's to me on this occasion. The only reasons I can give for this neglect of a service which I and all the Governors think so necessary at this time are the penurious tempers of the American Assemblys and the private views which the trading part among them have, in endeavouring to draw the interviews with the Indians into their own Colonies, tho' it can not be doubted that Albany is the most proper place for this purpose in which M^{r} Glen agrees with me tho' his Government be the furthest distant

The reasons for the Assembly of this Province refusing to add to the allowance they have made for this Service I can only give your Lordships by their answer to my speech on this occasion I transmit copies of both

After the Assembly was prorogued, I suppose they found that their savingness on this Occasion was not approved without Doors, and thereon the Speaker in private conversation with me told me that the Treasurer should be directed privately to advance £200 more, which I hope the necessity of the Service will excuse my receiving in this manner, tho' it shows at the same time, how absolutely the Treasurer and the Treasury is under the private and single direction of the Assembly—This may some time or other prove of dangerous consequence. I can only apprize your Lps of it because a remedy can only be given by the Kings immediate Authority as will more fully appear by the several Representations I have made, to show that all publick money is absolutely in the disposal of the Assembly, and they have thereby, assumed to themselves the who[le] executive powers of Government

Upon receiving the report N^{o} 9 from Lieutenant Lindesay commandant & Commissary at the trading house of Oswego, informing me of the French building a fortified house and seizing and detaining prisoners the English Traders; I immediately dispatched a Gentleman to the Governor General of Canada with a letter of complaint of this encroachment on the Kings Territory and injury done his subjects, demanding reparation for the same; a copy of which letter N^{o} 19 I shall by the very first opportunity after I have received an answer do myself the honor to communicate the contents to your Lordships

I am with Respect
My Lords
Your Lordships most
obedient humble Serv^{t}
G. Clinton.

Governor Wentworth to Governor Clinton.

[New-York Papers, Hh., No. 148.]

Portsmouth Janʳʸ 23ʳᵈ 1750

Sir

I have the honor of your Excellencys favor of the 18ᵗʰ Decʳ past advising me of the Interview you have appointed to have with the six Nations of Indians and their allies, on the first week in June next, which I esteem absolutely necessary at this time, and to secure those Tribes Firmly in the Interest of His Majesty's Colonies in North America is of the last consequence to each Governmᵗ respectively, and yet I am apprehensive some who may at this time esteem themselves safe, will endeavor to screen themselves from the expence, that will attend it, without considering the dreadful calamitys that must unavoidably fall on every Government, should these Nations be gained over to the French, which as your Excellency justly observes, there will be great reason to fear, should there appear to these people a disunion in the Councils of His Majestys Governments on this important meeting; on which I think it my Duty to attend, but the unhappy situation I am under, with respect to the Assembly, renders that impossible, unless between this time and that, I receive His Majestys pleasure concerning them, or they return to their duty and obedience—I have communicated your Letter to His Majestys council, who think it highly expedient that Commissioners ought to appear in behalf of this Province, but on the other hand they think it will avail but little unless the appear prepared with Suitable Presents which it is absolutely out of my power to provide and no private gentleman will care to advance such a sum, as it will require to lay at the mercy of an assembly for reimbursement

As I am very Zealous to strengthen the interview your Excellency has fixed with these Nations and being persuaded of the universal benefit His Matys Government must reap from the effects of it I would propose if it be agreeable and you think it will answer the end designed, that you nominate to me a person residing in New York or Albany, that you approve of, to Represent this Province, hereby obliging myself fully to impower him by the time fixed for the meeting, engageing also as far as it concerns me to ratify and confirm all the engagements he shall enter into on the part of New Hampshire

Thus Sir you [perceive] the melancholy Situation some of the Kings Governors are in, when the must have recourse to such shifts as these to do the Kings business.

I am with great truth

Sir—Your Excellency's most

obedient humble Servant.

B Wentworth

New York

Copy Examᵈ Pʳ

Gw Banyar D Secry

Lieutenant Lindesay's Report of Indian News, &c., at Oswego.

[New-York Papers, Hh., No. 149.]

A Report of the News I have had from the Indians &c

Oswego Feb 5th $17\frac{50}{51}$. Came here three Frenchmen from Onondaga, and told me they were come from the place Joncaire was at (on the River Ohio) with a message to the Governor of Canada, desiring men &c to be sent him in order to build a Fort there, I understood they had been at our several castles, telling them what they were to do soon after Adrawanah (one of the Cheifs of the Cahugah Castle) came here, I spoke to him of this, and told him they might now see the bad consequence of our Indians going to Canada, and receiving presents from the Governor of said place, for now he looked on them as his Slaves, and Tributaries and did what he pleased without their leave or consent.

I also told him I was informed they had built a Fort at the carrying place (above Niagara) from the Iry to this Lake, and desired if they had any regard for their own property, that they would have a stop put to it. He replyed the five Nations had heard of this Fort and had appointed some Indians to go and prevent the building it further

April 3rd Joncaires Brother came here in his way to Niagara, and said he was going to command the new Fort on the carrying place above Niagara.

May 4th Came here a Mesasagah Canoe (with Indians) who came and saw me and told for News, that there was an Army passed Cataracque, in order to build a Fort where Joncaire was, and to run off the Shawanahs, Chanundadies, and Twig-Twee Indians (who live at Kyahagah on the Drafts of Ohio & Ohio) and with whom the Philadelphians trade, and to drive them from thence, and that there was a good many Indians to go with said army. I told them as they had entered into an Alliance with the Five Nations (which place belonged to them) and that many of the five Nations lived there as well as the other Nations aforesaid. I hoped the would join the five Nations in defence of said Indians, and opposed the views of the French, which was to make slaves of all Indians. Adrawanah being here I sent for him, and made them repeat the News to him, who seemed much troubled with it. I did all I could to shew the Frenches Views in all their doings, and to shew that they treated the five Nations and all other Indians, as their Slaves, who had neither liberty nor property

Schanahary (an other Cheif of the Cahugahs) coming here the next day I was at the same pains with him

May 5th This day came here a Seneca Indian who informed me that the French (who are building a Fort near the Twig Twees) hearing of three Philadelphia Traders, that were going to trade with that Nation, sent for them to smoke a Pipe in a friendly manner, which they accepted of, and as soon as they came took every thing from them, and put the men in Irons. On hearing this I sent for Schanahary, and told him the News, he said they had heard it, and had sent to know the certainty of it, and said the Five Nations were determined to assist and defend all those Indians who live at Cayahagah, and to protect the English that traded there—

I told all our Indians that were here, that when I came here first. I had opposed their going to Canada, to receive Gifts and presents from thence for that was selling their Liberty and property and they might now see come to pass. For the Governor of Canada looked on what was theirs as his own and did what he pleased without their leave or consent as they saw by

the Fort built at the carrying place above Niagara, and that they were about to build where Joncaire is, which place I was well informed they had given or sold to the Governor of Philadelphia, and whether they had done that or not (as it was theirs) I hoped they would allow no Fort to be built there but would all join & defend the Philadelphia Traders—The Five Nations & others who lived on Ohio, or any of the Rivers terminating therein when the English had any commerce

JOHN LINDESAY[1]

New York
A true Copy Exam[d] P[r]
Gw BANYAR D Secry.

Lieutenant-Governor Hamilton to Governor Clinton.

[New-York Papers, Hh., 155.]

Philadelphia May 15. 1751

Sir

I deferred answering your Excellencys Letter of 13[th] April, till I could certainly inform you what Part this Province would Act with regard to the Treaty to be held at Albany in the next month; and I am now extreemly mortified at being obliged to acquaint you, that contrary to my expectations, our Assembly has altogether declined having any thing to do in that treaty; as you will see by the Copy of their message inclosed

Although from the religious principals of a great majority of the House I never expected they would enter into any offensive Measures to protect the Indians against the French; yet I made not the least doubt, but that in order to shew them countenance, and to secure their good will; they would at least have contributed a very handsome Present to be delivered with Yours and those of the other Governments, which would have made the whole appear more considerable and better worth their acceptance This I did not fail to press upon

[1] JOHN LINDESAY, founder of Cherry Valley settlement, in the county of Otsego, N. Y., was a native of Scotland, and in December, 1730, received from his countryman, Gov. Montgomerie, the commission of Naval Officer of the port of New-York. In 1732, he was appointed Sheriff of Albany, which office he filled until October, 1739. He acquired nearly 20,000 acres of the public lands, located in different parts of the province, by patents dated from 1736 to 1741. He removed to Cherry Valley in 1740 with his wife, Lieutenant Congreve his father-in-law, and servants, and gave to his new home the name of Lindesay's bush. But being unacquainted with practical farming, and the French war breaking out, he was obliged to abandon his enterprise. Reinforcements being ordered to the western frontier, Lieutenant Congreve resigned his commission in favor of Mr. Lindesay, who proceeded to Oswego in 1744. He was in Schenectady in the winter of 1746–7. On the 14th October, of the last mentioned year, the Council taking into consideration several petitions of the Oswego traders, praying his Excellency the Governor to continue Lieutenant Lindesay in the command of the garrison at Oswego, and the request of the Indians of the Six Nations to the same purpose; and being also of opinion from their own knowledge of Mr. Lindesay, that he is well qualified for that command, and the more so on the account of his engaging Address to the Indians, unanimously resolved to recommend his Excellency to order Lieutenant Lindesay to repair to Oswego, to take the command of the garrison there. He was commandant at that post until February, 1749, when he was appointed Indian commissary and agent there. He retained the latter situation until his death, which occurred in 1751. His widow, Penelope Lindesay, survived him, but they had no children. At the time of his death, Mr. Lindesay was a lieutenant in Captain Clarke's company of Independent Fuzileers. *Campbell's History of Tryon County*, 23; *New-York Book of Patents*; *New-York Council Minutes*, XXI., 277; *Commissions*, III., 300, 368, 481; *Johnson's Manuscripts*, I. — ED.

the Principal Members in repeated conferences both before and during the time of their last sitting, tho' without effect, so that whatever may be the consequence of our not acting with the spirit & resolution the present state of Indian affairs seems to require, and the circumstances of this Province very well enabled us to do, I can not reproach myself with having omitted any thing in my Power that would have contributed to so good a purpose

Upon the death of Canassatego and some other of the principal Sachims of the six Nations who were our very good friends — We have thought it necessary to send to the Council at Onondago, a message of condolence with a small present of one hundred pounds value, and as there will be soon an opportunity of meeting that council together at Albany: I am to request of Your Excellency that Mr Weiser our Province Interpreter may have your permission to deliver the same at that place whereby much time & trouble will be saved to this Government

If our Assembly had entered heartily into the measures propos'd in your Excellency's letter of the 18 Decr I fully intended to have waited on you at Albany; and to have joined my best endeavors towards restoring our Indian affairs and putting them on a better foot for the future But as they have neither thought fit to advise my joining in these measures, nor made any provision of Presents suitable to the importance of the occasion. I must deny myself the satisfaction I proposed in paying my respects to you in Person, and have only to wish all possible success to your labors for the publick Service

I beg the favor of your answer whether Mr Weiser may be permitted to deliver the forementioned small Present at Albany and am with all possible Regard Sir

Your Excellencys

most obedient humble Servt

JAMES HAMILTON

New York Copy Examd Pr

GW BANYAR D Secry

His Excellency Govr Clinton.

Governor Glen to Governor Clinton.

[New-York Papers, Hh., No. 156.]

Sir

So Carolina May 21st 1751

I was in great hopes to have been able to have accepted of your Invitation to New York, being very sensible that such a General meeting of all the Governors that have any connection with Indians, would before[1] his Majestys service, and the security of the Colonies, and altho' it might be more convenient for Carolina that such meeting should be at Virginia as was proposed last year by Mr Lee, yet upon many accounts New York should be preferred, both as it is in a manner the center of the British Colonies upon this continent, and because the six Nations and many other Indians have for many years past been more immediately dependent upon or in alliance with New York no doubt Indians may be allured by Presents to any place,

[1] *Sic.* Qu? be for. — ED.

but they are not attracted to Albany by presents only, they are attracted by Treaties I have been prevented from attending the meeting proposed to be held in june next at New York by some disturbances among the Cherokees, but I have sent a Gentleman who is no stranger to Indian affairs, as Commissioner from this Province: he is one of the Council here, and I beg leave to recommend him to your regard

I shall not presume to point out what may be the proper heads for your deliberation in general I think it would be adviseable to contermine all the Plotts and Intrigues of the French and in order thereto, it will be necessary to collect from all the different Governors or commission^{rs} that may be present at that meeting such circumstances & facts as can give any light into these matters —To one unacquainted with Indian affairs the designs of the French may seem dark & doutbtful, their projects improbable, and their views very distant however they are not less to be minded upon that account and if British Govern^{rs} are either indolent or negligent, it may prove very fatal to the Provinces. Whether the observations that I have made for these last seven years, will satisfy any other person what the designs of the French may be, I shall not take upon me to assert, but I assure you I myself who at first was but suspicious am firmly convinc'd and confirmed during the War I found their Indian Commissaries and even French Agents, amongst our Indian Nations inciting them to a general insurrection against the English, but their proposals not having been listened to, their next attempt were to get some footing amongst these Nations themselves, and accordingly they told them it was good for them to have a Trade both with the French & with the English, that the English seemed to covet the Deer Skins but the French were desirous to trade with them for their Beaver and small Furrs and the hoped they would permitt them to build strong houses to put their goods in; This we very truly interpreted to mean Forts but in this we also prevented their designs and they have ever since continued to harass our Indians by sending them to warr against them, and by giving them rewards not only for the Scalps of our Indians but even for the skalps and heads of our Traders: They also make it their constant practice to raise & continue Warr betwixt the Nations in the British Interest to prevent all accomodations, and by doing every thing in their power to rekindle Wars when by the care of English Governors they have been extinguished they consider that the English first settled all along the Sea Coast, and that their back settlements being thinly inhabited must for many years be their weakest part, that the Indian Nations are a sort of Bulwark to us, and if they could get them in their Interest, and so turn the Canon upon us, they might invade us with double advantage, but even if they can weaken this Barrier by making our Indians destroy one an other they would have much less to struggle with, in any future attempts upon these Provinces in any future War. Our first care therefore ought to be, to make all the Indians that are friends with the English Friends also among themselves, and for that reason I hope you and the other Governors and commissioners will heartily join your Interest in removing all the obstacles to a Peace, in reconciling all the differences and cementing together in a close union the Northward and Southward Indians; under the name of Northward Indians I include, not only the Six Nations, the Delawares and Susquehannah Indians, but all the different Tribes who may be in Friendship with them particularly those on the Ohio River, as under the name of Southward Indians, I comprehend the Cherokees, the Catawbas, the Creeks, called sometimes Muscagee, the Chickesaws, and such part of the Chactaws as are in our Interest, and all the Tribes in friendship with those Nations, or that live amongst our settlements, such as Charraws, Uches, Pidees, Notchees, Cape Fears or other Indians; and I hope that all Prisoners on each side will

be mutually delivered back; and whereas about two or three years agoe, a Gentleman of this Province one Captn Hague, was carried off and murdered by some of the Indians who live upon or near the Ohio River, who came to War against the Catawbas, it is absolutely necessary that some satisfaction be obtained for the said murder, and I hope you will take the opportunity of so general a meeting to demand it

This Province has more Indians in Alliance with it, who have no dependance upon, or connection with any but the English of Carolina, than any other Province whatever as you will see by my account of them in some of my former letters, and I hope that any representation concerning Indian affairs that may be laid before His Majesty, as the united sence of New York Carolina and New England, the Center and the two extreems of the Continent will not fail of having its due weight

At present I have not time to add any more but that

I am with much Respect

Sir, Your Excellencys

most obedient and

most humble Servant

JAMES GLEN

New York Copy Examd P

GW BANYAR D Secry

Governor Hamilton to Governor Clinton.

[New-York Papers, Hh., No. 157.]

Sir Philadª June 6th 1751.

I am favored with your Excellencys Letter of the 27th of May, expressing your consent to the delivery of our small Present at Albany: for which I am now to return you my thanks; and to assure you Mr Weiser shall in all things conform himself to the conditions therein mentioned

I am much obliged to your Excellency for imparting to me the Intelligence from Mr Lindsay great part whereof I am inclined to beleive is true, having myself in april last received from Mr Croghan, an information of very nearly the same import, which I enclose for your perusal— This Account I laid before the Assembly at their Sessions in May, and in repeated conferences with the principal members, pressed them to enable me to do some thing effectual for the Preservation of that part of His Majestys Dominions, as well as for the security of our Indian Trade, both which were in danger of being lost by the Frenchs taking possession & building Forts on the River Ohio even within the Limits of this Province as we have reason to beleive. But all arguments that could be used on that occasion availed nothing towards inducing them to do what was indispensably their Duty to his Majesty and to the people they represent. Hence it is that I have little reason to expect they will ever act a proper part in Indian affairs, untill either some notable calamity befall our back inhabitants, or till they have such injunctions laid upon them from home as they will not venture to disobey

I beg leave to express my acknowledgement of your great civility upon this, and all other occasions and am with all imaginable Regards

Sir,

Your Excellency's
most obedient & most
humble Servant
JAMES HAMILTON

His Excellency Gov^r Clinton

New York Copy Exam^d P^r
GW BANYAR D Secry.

Governor Clinton to the Marquis de la Jonquière.

[New-York Papers, Hh., No. 158.]

Sir

I am sorry that I am laid under the necessity to send M^r Corn^ls Cuyler the bearer of this to your Excellency, to complain of encroachments made on the Territories subject to the King my master and the violences and injuries done to his subjects by the subjects of France under your Government in open violation of the Amity and Treaties subsisting between the Kings our Masters.

I have repeated informations that some Persons pretending to act by commission from your Excellency are erecting a fortified house on the River of Oniagara, between Lake Erie & Cadarackqui Lake on the Territory of the five Nations (called Iroquois by the French) which they long since solemly submitted to the Crown of Great Britain and who by the Treaty of Utrecht confirmed by the late Treaty at Aix La Chapelle are allowed by the King your master, to be subjects of Great Britain and likewise that Six Englishmen subjects of the King my master, who were peaceably pursueing a lawful Trade with the Indians in amity with the King my masters subjects have had their persons & goods seized by persons pretending to act by a like commission and their Persons detained in Prison in Irons near Oniagara with such severe Treatment as seldomed is used to prisoners of civilized nations in time of actual War

Notwithstanding of the Pretensions of these Persons, guilty of the injuries & violences which I complain of, I am persuaded from your Excellencys Candour & justice, and the professions you formerly made of your desire to cultivate the amity & Friendship reestablished between the two Crowns & their subjects, that these things must be done without your being truly informed of the Situation of the place where the subjects of Canada are building this House. And that the other Acts of Violence & injustice are entirely without your Knowledge. I therefore assuredly expect that on your Excellencys receiving this you will immediately cause strict enquiry to be made into the Truth of these Facts That you will order the building of that House immediately to cease. That you will issue your orders not only to set these men at liberty who are detained prisoners near Oniagara, but likewise that ful reparation be made them for the injuries and losses they have suffered and lastly that the

persons who have been guilty of these violences and injuries [to the subjects[1]] of Great Britain be exemplarily punished, so as to deterr all others from attempting the like at any time hereafter — And of your having given these necessary orders for these purposes, I hope to be well assured at the return of the Gentleman who carries this letter

Your Excellency may be assured that nothing shall be wanting on my part to cultivate mutual amity & Friendship between the Kings subjects in my Government and those of France under yours

I am with the greatest
Respect
Your Excellencys
Most obedient and
most humble Servant
G Clinton

Fort George in y^e^ city of New York
June 12 1751.

True copy ex P G Banyar D Secy,

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XI., 215.]

My Lord Duke

I received your Grace's letter, notifying the death of the best of princes, His Royal Higness the Prince of Wales, which occasioned the deepest sorrow to me and all His Maj^ty's^ good subjects in this Colony.

I have the honour to inclose herein to your Grace, an address of condolence from me and the other branches of the Legislature here, on that melancholy occasion, which in our behalf I beg that your Grace would be pleased to present to His Majesty.

From several letter from my friends and Agent in England, I have impatiently expected His Maj^ty's^ leave of absence, which with other material reasons has (as your Grace will observe by the inclosed) occasioned my detaining Capt^n^ Roddam here; for as my health is so very much impaired by this Climate, that I am told it will be impossible to survive another winter in it, and my private affairs wanting me so much at home for the good of my family; and as it is not probable that I should have any other opportunity, unless in a Merchantman, which must put me and M^rs^ Clinton to the greatest inconveniency, I have determined to make use of this, and beg Your Grace will be so good as to represent to His Majesty the absolute necessity of my coming home, without His Royal permission. Another reason for it is that here is a person arrived from the Virgin Islands, who offers to give his oath, that he saw a paragraph in the English Gazette, of about 20^th^ April, that Sir Peter Warren's commission for Governour of this Province was actually made out, which if so, I must be superceded, and totally deprived of such another opportunity, before next spring, which I fear may prove fatal to me in my present weak indisposition.

[1] The words within brackets are added from the copy of the Letter in *Pennsylvania Colonial Records*, V., 554. — Ed.

By the other papers enclosed your Grace will perceive the absolute necessity of my meeting the Six nations of Indians dependent on this province at Albany, on the 28th day of this month. My best endevours shall be used to bring to effect what is proposed by that meeting, which I hope may, in a great measure secure all the British Colonies on the Main of America, against the designs of the French of Canada appearing by these papers.

On my return hither from Albany, I intend forthwith to imbark with my Family on board His Majty's ship the Greyhound for England.

I am with the greatest regard
My Lord Duke
Your Grace's most obedient
and most humble servant
(signed) G. Clinton.

Fort George in New York
18 June 1751.

His Grace the Duke of Bedford.[1]

Governor Clinton to the Lords of Trade.

[New-York Bundle, II., No. 1.]

My Lords,

In my proceeding letters of 29th of January & 18th of June last, I had the honour to communicate to your Lordpps the Informations I had received of the practices of the French, in several parts of America to withdraw the Affection of the Indians, in amity with us, and to obstruct the British Commerce among the Indians everywhere, and of their building Forts on the lands of the Five Nations for that purpose; and that I had sent a Messenger to the Govr of Canada complaining of these infractions of the Treaty of Utrecht, and demanding reparation, a copy of which has been transmitted to Your Lordpps.

These Informations of the designs and practices of the French, being confirmed from all parts, gave general apprehensions of the fidelity of the Indians; and I had for this reason conceived hopes, that all the Colonies would have joined in concerting measures to defeat the designs of the French; but I have been almost entirely prevented in my expectations. Massachusets Bay, South Carolina and Connecticut, only, sent Commissioners with a small

[1] John Russell, 4th Duke of Bedford, K. G., was born 30th of September, 1710, and on the 11th of October, 1731, married Lady Diana Spencer, daughter of the Earl of Sunderland, and granddaughter of the Duke of Marlborough; and 2ndly, in 1737, (having succeeded to the dukedom in 1732) Gertrude, daughter of the Earl of Gower. His grace was constituted first lord commissioner of the Admiralty in December, 1744, under the Pelham ministry, in which station his orders to Warren contributed considerably to the fall of Louisburgh; was appointed Lord Lieutenant of Bedfordshire in 1745, and was one of the Lord Justices during the King's absence abroad in 1745, 1748, and 1750. At the breaking out of the Scotch Rebellion, he raised a regiment of foot, with which he served; and on the 13th of February, 1748, succeeded Lord Chesterfield, as Secretary of State, with charge of the Colonies. He held this office until the 26th of June, 1751, when being (like the French Minister Maurepas) wanting in deference to the King's Mistress, and becoming a victim to the treachery of his colleague, the Duke of Newcastle, he found it necessary to resign. On the fall of Newcastle, in 1756, the Duke of Bedford became Lord Lieutenant of Ireland; formed part of the Bute Ministry, in 1761, as keeper of the privy seal; in 1762, he was appointed Minister plenipotentiary to France, to negotiate a peace, which was ratified in February following. His grace died on the 14th of January, 1771.—Ed.

supply of money, and without any resolution of credit, whereby any general measures could have been taken. The Assembly of this Govern[t] likewise gave no assurances of the measures that might be concerted, and had only granted the usual sum in time of peace, for renewing and brightning the Covenant Chain, as in this Country it is expressed. The Gov[r] of South Carolina sent Six of the Chiefs of the Catawbas (upon my frequently importuning of him) to make peace with the Six Nations; they had been at war as long as any in this Country can remember, and as the Six Nations and Catawbas were both in Friendship with the English, the French Emissaries were continually imployed on both sides, to blow up this War; and a peace between these Nations, on many accounts became necessary for the British Interest.

While I was at Albany, I could only enter upon following heads, as the allowance I had from the Assembly for supporting the Indians, did not permit me to keep them a day longer than I did.

1[st] To renew the Covenant Chain, on the mutual assurances of their fidelity and the King's protection.

2[ly] To exhort them to strengthen themselves, by drawing the neighbouring nations into strict alliances with them, and securing a general liberty of Trade.

3[ly] To send a proper number of Men to Oniagara to forbid the French to build there and to demolish any works already begun. Lastly to make peace with the Catawbas.

The first was readily and heartily done. To the second they answered, that in consequence of my former repeated desires, they had for some time been employed for that purpose; that they had alliances over a large extent of Country, that very lately nine Castles (or more properly villages) on the East side of Lake Erie, had strictly united with them, and submitted themselves to the King of Great Brittain. These I think are the Missisagues who joined us in the late war, and have removed from their former habitations, to avoid the resentments of the French. To the third they answered, that they had already sent some of their Sachems to Canada, to the Governour there, to forbid his building at Oniagara, and that if they did not receive a satisfactory answer, they would send to Oniagara, as I desired; but they added, if the French continue obstinate, nothing but the powerful interposition of the King their Father with the King of France can put an effectual stop to the French encroachments. And lastly, they agreed to the peace with the Catawbas.

The Catawbas being brought into the meeting the peace was made after the Indian manner, by smoaking together on the Calumet and exchanging Belts, but the peace will not be firmly established, unles the Catawbas take care to give up their prisoners at Albany within a year, as was promised. Considering the long Rancour, that has subsisted between these Nations, great care must be taken on the side of Carolina, that no new offence be taken or given. The Mohawks are much more hearty in the Peace than the other Nations. It may be proper to inform your Lord[pps], that while I was at Albany 33. Canoes, with French Indians, consisting of near 200 Men, came to that place with their Beaver of a considerable value for trade, and that they had laid the Gov[r] of Canada under a necessity to grant them passports, least the French Commandant at Crown Point (or Fort S[t] Frederick) should stop them, threatning that otherwise they would leave the French, and settle with the Six Nations. There was likewise another incident relating to the persons, who have the care of Indian affairs in this Province, which will require so particular a detail, as I can not in the time that is allowed (before the

Greyhound sails) relate with that explicitness, which the nature of the thing requires, and which I must therefore postpone to the next opportunity.

I am with the greatest respect.

My Lords

Your Lord^{pps} most obedient

and most humble servant

G Clinton.

New York 17 July 1751

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XL., 218.]

My Lord Duke.

In my preceeding letters of 29th of Jan^{ry} & 18th of June last, I had the honour to Communicate to your Grace the informations I had received of the practices of the French, in several parts of America to withdraw the affection of the Indians, in amity with us, and to obstruct the British Commerce, among the Indians every where and of their building Forts on the Lands of the Five nations, for that purpose; and that I had sent a Messenger to the Governour of Canada complaining of these infractions of the Treaty of Utrecht, and demanding reparation, a copy of which, has been transmitted to Your Grace.

These informations of the designs and practices of the French being confirmed from all parts, gave general apprehensions of the Fidelity of the Indians. And I had for this reason conceived hopes that all the Colonies would have joined in concerting measures to defeat the designs of the French, but I have been almost entirely prevented in my expectations, Massachusetts Bay, South Carolina, and Conecticut, only, sent Commissioners with a small supply of money, and without any resolution of Credit whereby any general measures could have been taken. The Assembly of this Govern^{t} likewise gave no assurances of the measures that might be concerted, and had only granted the usual sum in time of peace, for renewing and brightening the Covenant chain, as on this country it is expressed.

The Governour of South Carolina sent six of the Catawbas (upon my frequently importuning of him) to make peace with the Six nations. They had been at war, as long as any in this Country can remember, and as the six nations and Catawbas were both in Friendship with the English, the French emissaries were continually employed on both sides, to blow up the war, and a peace between these nations, on many accounts became necessary for the British interest.

While I was at Albany, I could only enter upon the following heads as the allowance I had from the Assembly for supporting the Indians did not permit me to keep them a day longer than I did.

1st To renew the Covenant chain, on the mutual assurances of their fidelity and the King's protection.

2^{dly} To Exhort them to strengthen themselves, by drawing the neighbouring nations into strict alliances with them, and securing a general liberty of trade.

3dly To send a proper number of men to Oniagara, to forbid the French to build there and to demolish any works already begun — Lastly to make Peace with the Catawbas.

The first was readily and heartily done.

To the second, they answered, that in consequence to my former repeated desires, they had for sometime been employed for that purpose. That they had alliances over a large extent of Country. That very lately nine Castles (or more properly villages) on the East side of the lake Erie, had stricktly united with them, and submitted themselves to the King of Great Britain; these I think are the Missisagues, who joined us in the late war, and have removed from their former habitations, to avoid the resentment of the French.

To the Third, they answered that they had already sent some of their Sachims to Canada to the Governr there to forbid his building at Oniagara, and that if they did not receive a satisfactory answer, they would sent to Oniagara as I desired. But they added, if the French continue obstinate, nothing but the powerful interposition of the King their father, with the King of France, can put an effectual stop to the French incroachments, And lastly, they agreed to the peace with the Cautawbas.

The Cautawbas being brought into the meeting, the peace was made after the Indian manner by smoaking together on the Calumet, and exchanging belts; but the peace will not be firmly established, unless the Catawbas take care to give up their prisoners at Albany, within a year, as promised. Considering the long Rancour, that has subsisted between these nations, great care must be taken on the side of Carolina, that no new offence be taken or given. The Mohawks are much more hearty in the peace than the other nations.

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There was likewise another incident relating to the persons, who have the care of Indian affairs in this Province, which will require so particular a detail, as I cannot in the time alloted me, (before the Greyhound sails) relate with that explicitness, which the nature of the thing requires, and which I must therefore postpone to the next opportunity.

I have the honour to be
With the greatest respect —
My Lord Duke,
Your Grace's most obedient
and most humble servant.
(signed) G. Clinton

Fort George in New York July 17. 1751.

Conference between Governor Clinton and the Indians.

[New-York Council Minutes in Secretary's Office, Albany, XXI., 448—452.]

Propositions made by his Excellency The Honourable George Glinton Captain General and Governor In Chief in and Over the Province of New York &c[a] To the Six Nations.

At Albany the 6[th] Day of July 1751.

PRESENT—His Excellency
The Hono[ble] Cadwallader Colden, James Alexander, James De Lancey, Edward Holland — Esq[rs] of the Council
Jacob Wendell, Joseph Dwight, Oliver Partridge — Commissioners for the Province of the Massachusetts Bay.
William Pitkin, John Chester — Commissioners for the Colony of Connecticut
W[m] Bull Junior — Commissioner for the Province of South Carolina
The Mayor and Corporation of Albany
And Several Officers of the Independant Company's, and Gen[t] from New York, attending his Excellency and the Commissioners upon this Occasion.

Bretheren

The design of my meeting with you at this time, is to renew the Covenant Chain, to Cleanse away all rust, to Brighten it, and Strengthen it; so that it may forever Indure: as this Chain has Lasted so Long and Secured us against the Designs of our Enemys, who have at all times Indeavoured, and are still Endeavouring to Break it, they would be Glad that we, or you, should let it Slip. Let us then hold it fast, with all our Strength, and Secure it at both Ends—
A Belt

Bretheren

Commissioners from the Neighbouring Colonies of Massachusets Bay, and Connecticut, have met you at this Council fire in this place, from the Earliest time, and are now Come again; here is also a Commissioner from South Carolina, which province being a great way off, hath never sent any Commissioner before this time. These Commissioners are all Come hither to assist us, in Strengthening, and holding fast the Old Covenant Chain. I now by this Belt in your father the King of Great Brittain's Name, and in Behalf of all his Majesties Subjects in North America, renew and Confirm the Covenant Chain, and all former Engagements of Love and friendship between us and you, that they may remain firm & unshaken so Long as the Sun and Moon shall Endure.
The Chain Belt

Bretheren

One great End and purpose of this Chain, is to secure trade and Commerce Between us and you, and by your means, with all the Nations of Indians which Lay to the westward of you;

by these means the power and Authority of the Six Nations, is greatly Increased Among all their Neighbours, as they must Come through your Countries to Carry on this Commerce, so necessary for them, and when they see and understand the Strength and numbers of your Bretheren, all over this great Continent, united together in this Covenant Chain, they must have a high Opinion of your power; as the keeping the path Open to this place, from all the Indian nations to the Westward of you, is of so great Benefit to you, as well as to the Common Interest of us all, I give this Belt to remove all Loggs, or other rubbish that may obstruct it.

A Belt

Bretheren

The Governor of Canada dreads this Union of the Bretheren with us, and with the distant Nations to the Westward and Southward, as far as the river Mississipi, for this reason he is always endeavouring to Break this Chain, by obstructing and stopping the Trade and Commerce that is Between this place and the far Indians, who pass thro your Countries. I am told he is at this time Building a fort on your Lands at Oniagara, to stop the Indians in their way to trade with us—If you should Suffer him to do this, the Six Nations will become weak and mean, in the Eyes of all the Neighbouring Nations, for these Forts will be Like Bitts and Bridles in their Mouths, by which you and the other Indian Nations must turn, and go as the Governor of Canada pleases. your Bretheren the English make no Attempts on you to restrain your Liberty of going to trade where you Like best, and where you Can be served Best. Whereas these forts w^{ch} the French Build are to take this Liberty from the other Nations, and to force them to go to Canada, and thereby to withdraw their Love and friendship from us and you, and to make them our Enemys. I therefore by this Belt in the Name of your father the King, Insist and require of you, that as Soon as possible, you send a proper Number of your men to Oniagara, to Oblige the French to forbear their Erecting, any Forts, or other Buildings there, or at Ohio, or any where else on your Lands, and to Demolish what is already Built. It will be much Easier to prevent their being Built, than to pull them down afterwards.

A Belt

Bretheren

Another Artifice the Enemys of our Covenant Chain make use of, is to Excite Variance and War, Between the Several Indian Nations that are united with your Bretheren the English, in the Several parts of this Great Continent. Nothing can so Effectually weaken, and at Last Entirely Destroy the Bretheren, as their falling out among themselves, and mutually Killing and destroying one Another: this is doing the Work of your Enemys: while they sit Looking on, and laugh at your folly. If all the Indian Nations united in Friendship with Carolina, Virginia, Maryland Pensilvania, this Government, Connecticut, Massachusets Bay and New Hampshire, were Truly and firmly united in the Same Councils, with Love and Friendship, how Great would that power be, what dread must it Strike on your Enemys, and who would dare Attempt to Hurt them. In Order to Accomplish this so much to be desired Union, I have prevailed upon the Governor of South Carolina, to Send a Gentleman to this place, whom you now See here and to Send with him Six of the Chiefs of the Catawbas, who are now in this City ready to make peace with you and to become Your fast friends, and to unite with You in our Common Cause. As in your former Treaties in this place, You desired, and Solemnly promised to receive them, as one Flesh and Blood with you, on their Coming to it. I therefore by this Belt Excite you, to Lay hold of this proffered peace and Friendship with the Catawbas. It must tend to Strengthening the Covenant Chain, and the Common Interest of us all. I can

no Longer Bear to See those, who are our Bretheren, Killing and destroying one Another, and therefore I cannot Doubt of your Chearfully Agreeing to what I now propose.

A Belt of peace.

Bretheren

I design in a Little time, to pass over the Great Water, to the King your Father. I perswade myself that your ready Compliance with what I now require of you, will Enable me to recommend you to his favour, and that I may tell the King of this, among many other Instances of your Dutifullness to him, and thereby Secure to you his protection. And as the time of my Imbarquing draws near, I must recommend to you all possible dispatch to the affairs now before you. A Belt.

Answer of the Six Nations to his Excellency the Honourable George Clinton Cap^{t} General and Governour In Chief in and Over the province of New York &c.

At Albany the Eighth Day of July 1751.

PRESENT—as before

Brother Corlaer

We are now met at the appointed time, to make our Answer, and desire to know Whether Your Excellency is ready to hear us (to which his Excellency answered yes).

Brother Corlaer

It is a Long time Since we have had the pleasure of seeing Your Excellency at this place of Consultation, and we will now Answer Your Excellency's Speech, paragraph by paragraph.

Brother Corlaer

As your Excellency with the Commissioners from Massachusets Bay, Connecticut and Carolina, are Come to renew the Covenant Chain with the Six Nations, we are also Come here to Join Your Excellency and those Commissioners, in that Good design, and Say that we Shall remain Inseperable by any Accidents of this world, for that neither Thunder Lightning or the falling of Trees Can seperate us. A Belt—

Brother Corlaer

As the Commissioner from Carolina, has never been here before, the Oneydeys, Tusquaroras, & Chingas, have agreed to give him a name, that if for time to Come, we should have Occasion to talk of him, we may know who we mean, and have Chose the name (Arickwawaga) and hope he will always Honestly Assist, in holding fast the Covenant Chain. A Belt—

Brother Corlaer

By the Old Covenant we are one heart, one Blood, and one head: and we thank your Excellency for renewing this Covenant: and we shall remain as one, for if any member is hurt, it Affects the whole. A Belt—

Brother Corlaer

Your Excellency desired us to Increase our Interest Among the far Nations: we now Inform your Excellency, that we have done it, and Still Continue to do it, Having got nine Castles of

the far Nations Setled at Caniahaga, who Acknowledge themselves Subjects of the King of Great Britain, and have Built a Stockade Fort there, to Strengthen themselves, and Secure the English Trade, and Agreable to your Excellency's desire we shall Increase Our Interest as much as possible. A Belt—

Brother Corlaer

Your Excellency also desired we should Send Some of our men, to forbid the French Building any Forts at Oniagara, and we now Inform Your Excellency, that the reason of the Onendagas Going to Canada, was with that View, as the Land was the property of that Nation, and at their return we Expect an Answer, whether they will desist or no, which we shall take Care to Let your Excellency know of; and if they do not Stop, we shall do as your Excellency directs, and go some of Each nation and forbid the Building of those forts. A Belt—

Brother Corlaer

It was Your Excellency's desire, Eleven Years Ago, for us to make Peace with the Catawbas: we told your Excellency then we wanted to See and talk with them, and as your Excellency Informs us, that they are now here, we are willing to see them, and hear them talk, and then we shall Consider of it, with all Moderation; and as your Excellency told us, that the French Laughed at our killing one another, we are Convinced of the truth of it, and shall Consider more of it, when we hear the Catawbas— A Belt—

Brother Corlaer

It might have been of bad Consequence, had not your Excellency Acquainted us of your going over the great water, and as we know of your going, we wish you a prosperous Voyage, it is a dangerous passage, wherefore we pray to the great God of heaven, to protect you, and Carry you Safe Over. we shall be glad to hear of your Safe Arrival, as your Excellency has promised to recommend us to our father the King, which we do not doubt but you will do, and we return your Excellency our hearty thanks for your promise.—As your Excellency has been so good as to Inform us of your going over the great water, we desire your Excellency will Carry a Message from us, and Inform the King our father, that the French are Endeavouring to take away our Lands, and Build Forts on them, and beg that the King will Inform the King of France of the proceedings of his Subjects, that he may put a stop to it, for that the Land belongs to the King our Father, and the Governor of this province—

Brother Corlaer

We would send another Message by you, that is, that the King our Father would reinstate Coll° Johnson amongst us. And as you are now About to Leave us, and have not Chose any person, with whom we may Transact our Affairs in the mean time, we hope you will Appoint some person, to whom we may bring our news, and from whom we may receive News—

A Belt—

Brother Corlaer

We have now fully finished our Answer

Prisoners in Canada. When His Excellency in private presents gave to Niecus a Laced Coat, Hatt, and rufled Shirt and to Dunckards Son the Like

And among them and the rest of the Warriours.

2 p^{s} Strouds	12 Guns	1 Doz^{n} Knives
1 p^{s} half Ticks	50 Flints	24lb Lead
14 y^{ds} Cottons	2lb Vermilion	28lb Goose Shot
12 Shirts	1 Doz^{n} Boxes to put it in	12 Kettles

When Niecus for the whole returned his Excellency thanks, and said he was Obliged to his Excellency for Considering their hardships in the War.

The Speech of M^{r} Bull the Commissioner from South Carolina to the Six Nations.

My Bretheren the Sachems and Warriours of the Six Nations.

Gov^{r} Clinton having kindled a Council fire at Albany, and Invited the English Governors and Indians to it, I am Come a Long way on the Great Sea, from South Carolina, to talk with you at it. and as no Governor or Commissioner from that province, hath ever shaken hands with you at Albany before, I give you this Belt of wampum to tell you I am glad to see you, and to shake hands with you, that you may know me, and Open your Ears to hear what I have to say to You— A Belt

Bretheren

The Governor of South Carolina Intended to have Came himself to see You, but as there was Some bad Folks from the Cherokee Nation, as if they designed to Stop the path by Killing and plundering the English Traders in that nation, the Governor resolved to Stay to take Care of his people, and in Case any mischief should be done by the Cherokees, Immediately to Carry war into Such of their Towns, as Should be Concerned in it: he has therefore sent me, one of the Beloved Men, to talk for him, and gave me this good talk, which I have in my hand to deliver in particular from himself to you. He has fixed the Great Seal to it, that you may know it is a Strong talk, for this Seal ties Every thing Strong to which it is fastened, it shall be read to You now, and may be read to your Children after you

[Here M^{r} Bull read the Governor of Carolina's Letter to the Six Nations]

The Governor of South Carolina to his Friends and Brothers the Chiefs of the Six Nations and other Indians meeting at Albany.

Loving Friends and Brothers

There are many nations of Indians in Alliance with this Government; the Cherokees, the Creeks, the Chickesaws, the Catawbas, and a great part of the Chactaws, besides many tribes that are Incorporated with Some of these Nations, or that Live peaceably in our Settlements, the Charraws, Euchees, Notchees, Peedees, Cape Fears, Etewaus and others, and as they are friends to the English, it has been my Constant Endeavour, to keep them friends with one Another. The French were at Great pains Some Years ago, to get an Interest among them, and to Alienate their Affections from us; but finding their Attempts were Vain, their next design has been, to Stir up Strife, and to Kindle the Flame of war amongst them; thereby to weaken them; so as they may become an Easy prey to them: and in this they have been too Succesfull, having blown up a Bloody war afresh betwixt the Creeks, and Cherokees, after I had Extinguished it, and had happily healed those wounds that had been too Long Bleading.

however I hope I shall still reconcile all their Differences; and it would give me an Equal pleasure, if I could Contribute in Conjunction with the Governor of New York, to Adjust and Settle the disputes that have so Long Subsisted between the Six Nations and other Indians to the Northward, and the Catawbas, Creeks and other Southward Indians. I have Some time ago talked to the Catawbas upon this Subject, in the presence of Some of those, who go with this Letter, and their King would have been at Albany a Year and an half ago, had not Death prevented him: however the King and the head men, and all the nation in General, are now desirous to Bury in Eternal Oblivion, all that has happened on either Side, so that the Same may never in time to Come be Mentioned or thought of; and are Willing or desirous to make a peace, and to Bind themselves in one Chain of Friendship with their Brothers of the Six Nations and the other Southward Indians; the one End to be Kept by the Governor of New York, and the other End by the Governor of South Carolina: and I hope youl agree to it, and I have sent Some presents of such things as I thought you might have Occasion for, to Bind the Treaty, not only betwixt you and the Catawbas, but betwixt you and the Creeks, and all Southern Indians. may the Chain never Contract any rust, but Shine Like the Sun in the Firmament. may the peace Last while the Sun Endures. I am my very Good friends your Loving Brother.

James Glen Gov^{r} S^{o} Carolina. (Ls)

South Carolina may 21st 1751.

Bretheren with this talk, I deliver this Belt of Wampum, to Inforce the matters therein recommended to you. A Belt—

Bretheren

It makes my heart and Every English Heart Sorry, to See Indians who are friends to the English, Continuing at war with Each other, it is almost Like Strikeing the Hatchet in your Bretheren the English. This Can be pleasing only to your Enemys—You my Bretheren of the Six Nations, are all good Friends to the English; and the Catawbas, the Chickesaws. the Creeks, Cherokees Some of the Chactaws, and the Small Tribes of Indians Living in our Settlements, are also good friends to the English, it is very good, and therefore our desire that all the Indians who are friends to the English should be Friends to each other, and be Included in the Same Bright Chain, which holds the English and the Six United Nations together. I am now Come a great way with the Assistance of the Governor of New York, and the Commissioners from Massachusets Bay and Connecticut, to Lengthen the Old Covenant Chain for that purpose, and to plant the Tree of peace; may it always be Green Like the Laurel, may its Roots grow so Strong in the Earth, that no Wind from the Great Lakes or Great Rivers, where the French are Setled, Shall be able to Blow it down. may its Branches Spread wide in the Air, that you the Six Nations and your Allies, may sit friendly under the Shadow of it, with the Catawbas, Creeks Chickesaws, Chactaws, Cherokees and the Small Tribes Living in our Settlements, and there Smoke together, and may the hatchett and all that is past be Buried so deep under Ground, that no Cross person who desires to dig it up can find it; Then the time which you now Spend in going to War against our Indian Brethren, may be Usefully Employed against our Common Enemys, or in Hunting, that you may Buy plenty of Goods for your Selves your Wives and your Children. this will be very agreeable to the Great King George, who Like our good father, is Grieved to see his Children destroy each other, but is pleased when he Sees them kind to one Another—To inforce this proposal I give you this broad Belt of Wampum

Bretheren

Altho South Carolina is so far distant from Albany, yet I have Brought some presents for you from that Government, which you will Accept of, as a Testimony of the Friendship, which that province hath for our Bretheren the Six Nations. I have them in my Care, and they shall be delivered when Gov^{r} Clinton makes his presents to you, to Confirm this promise I give you this String of Wampum.

My Bretheren the Sachems, and Warriours of the Six Nations.

We have heard what his Excellency Governor Clinton has said Concerning a peace, and what his Excellency the Governor of South Carolina hath wrote to you, and also what I have now said, you will hear next, what the Chiefs of the Catawbas, who Came here with me will say, they Come to this Council Fire at Albany, to meet you, in Order to make peace with you, they know it is the desire of the English that peace should be made between You, and you know it is the desire of the English also. To Open Your Ears I give you this Belt of Wampum

Here the Catawbas Came down from their Quarters, Singing with their Colours pointed to the Ground, and having Lit their pipes, the King and one more, put them in the mouths of the Chief Sachems of the Six Nations, who Smoked out of them. And then Spoke to them as follows.

Friends

I Last Year with the Advice of my great men, determined to make a peace with you, and Set out for that purpose, but was taken Sick by the way, which hinder'd me. The same resolution remained in my heart, and the Gov^{r} of Carolina Agreeing with me, Consented to Send a Vessel to New York, that we might meet you here at this treaty, which greatly rejoyced me, and when I Came away, my Towns all Shoke hands with me, and desired me for them to make a peace, and I give this Belt, which has all my Towns upon it, Signifying that they all Join in my desire.

We are all Friends to the English and desire to be so with our Brothers the Six Nations, and as Some of your people are now out, that do not know of the peace, when they are all returned, and the path Clear and Safe, I will Come to your Towns and Houses, and Smoke with You, as I would in my own. [Here the King first, and then the other Catawbas Shoke hands with the Six Nations]

To which the Six Nations Answered.

Bretheren

We are glad to see you here, and return you thanks for your kind Speech. But as it is a thing of moment, we must take time to Consider of it, and shall Answer you this Evening or to morrow morning.

When his Excellency told the Six Nations he would give them their presents, when they had answered the Catawbas.

The Answer of the Six Nations to the Speech of Mr Bull the Commissioner from South Carolina

At Albany the tenth day of July 1751.

PRESENT—His Excellency the Honoble George Clinton &ca
The Honble Cadwallader Colden, James Alexander, James De Lancey, Edward Holland, William Johnson } Esqrs of the Council
The Commissioners from the Several provinces.
The Mayor & Corporation of Albany.
And Several Officers of the Independant Companys, and other Gentlemen from New York Attending his Excellency, and the Commissioners on this Occasion.

The Catawbas being Come Down from their Quarters.

The Chief Sachem of the Senecas Litt a pipe, and put it into the mouths of Each of the Catawbas, who Smoked out of it, and then he returned it Among the Six Nations. And then the Six Nations Begun.

Brother Corlaer & Arickwawaga

In Answer to the first paragraph of Mr Bull's Speech, we return him thanks for his kind Speech, and desire that he will be faithfull and Honest in holding fast the Covenant Chain

A Belt

to 2d Paragraph.

Arickwawaga

We thank You kindly for the Governor of Carolina's Letter, and shall preserve it as in our Bosom.

Brother Corlaer and others, particularly Arrickwawaga

We kindly thank your Excellency and the other Gent for the Uneasiness they Express at the Indians murdering one another, and we Consent that the Hatchet be Buried where no Ill Natured person can find it.

A Belt

Brother Corlaer and others the Commissioners.

Arickwawaga the other day by a Belt of wampum told us, that he Came here to plant a tree of peace, that the English and Indians might Sit in peace under it. we thank you for your good design, and heartily Join you in it, and may it grow Large and last forever.

A Belt

Brother Corlaer &ca

Arickwawaga also told us, that he brought with him Some of his Bretheren the Catawbas, and gave us a Belt to Open our Ears, to hear them; we have heard them, and thank him for his Advice

A Belt

Arickwawaga Also told us, that altho he Came a great way, he Brought some thing in his Bosom as a present for us, and to remind him thereof, we give this String of Wampum

Brother Corlaer

It is but a few days ago, we desired you to raise up the Falling Tree Warickweaga (Coll° Johnson meaning) and Leave us Some person to Transact our Affairs with. The Goods at Oswego are so dear, that we Cannot Buy them, and desire your Excellency will Order them to be sold Cheaper, as it will be a means of Strengthening the Covenant Chain.

A String of wampum

When the Six Nations Spoke to the Catawbas as follows

Bretheren the Catawbas

You Came to our Doors and Fires, to make peace with us, and we have heard your kind Speech, and thank you for it, and as a token that you Came to make peace, and were received as our Friends, we give you this white Belt of Wampum, to wear about your necks, that all that see it, may know that you have been here and were received as our Friends.

Bretheren the Catawbas.

This Belt Serves to make you more powerfull, and give you Short horns; it has been a Custom among all the Indian Nations, that when they Come to Sue for peace, they bring some prisoners with them, and when you return with prisoners, the peace shall be Compleated, and your horns Lengthened, and we give you a year to return with the prisoners, and if you do not Come in that time, we shall Look upon the peace as Void.

Bretheren the Catawbas

We will take your pipe up to the Mohawks Castle, being the first Town you came to, as it were; and there Sit and Smoke, and think of you, and not go out to war, if you return within the time Appointed by us.

Here the Catawbas Answered

I have Long wished for a peace with you the Six Nations, but never had an Opportunity till now, and as it is Compleated before his Excellency and these Commissioners, and the Belt past, I shall wear it about my neck as a token of Friendship.

It is a right and good Custom, that prisoners should be Exchanged in making a peace, and if you'l send Some of your people home with me, I will Carry them to my Own house, and they shall Live as I do, and I will then deliver all the prisoners I have to them, and Come with them, and Conduct them Safe to their own doors.

Bretheren the Catawbas.

As to your request of Sending Some of our people to your Country, it is unprecedented, and what we never have done at the first time of meeting; and none of our people are prepared to go: therefore we Cant Agree to it. But we may at the Second time Send Some of our people with you.

Here the Catawbas Answered

We shall Come in a Short time to your Towns to compleat the peace and you may Expect to See us.

The Six Nations Answered

Bretheren the Catawbas

We desire when you Come again, you'l Come by water, and bring a Commissioner with you, that we may know you to be the Same. for as there are Several Nations which are in

Conjunction with us, that may not know of this peace, the path may be dangerous, and destroy what is now done. but if you Come to this place youl be Safe

Here his Excellency Spoke to the Six Nations as follows.

Bretheren

I am glad to be Informed by you, of the Success of our Endeavours to Increase your Strength and Interest among other nations — That you have received nine Castles into the Covenant Chain, and that they have Acknowledged themselves Subjects of the King of Great Britain.

I approve of what you have done, and hope you will Continue your Endeavours for these purposes, and I shall Likewise on my return to Court, Lay before the King your Father, what you have desired me to Say in relation to Coll° Johnson, and I can add no more, than what I have Already told you — I have Constantly given Orders that goods be Sold as Cheap at Oswego as the Traders Can afford them.

To which the Six Nations Answered

Brother Corlear

We desire Coll° Johnson may be Reinstated; for as there is Some of the Six Nations gone to Canada, about the French Building a fort at Oniagara; unless your Excellency Appoints Some person for us to go to, you Cannot Expect to hear what Answer they Bring.

Which his Excellency answered, telling them, that on his return to New York, he would advise with the Councill as to the Appointment of Some person for their Affairs.

And then Ordered the presents Out, and gave them, and at the Same time Mr. Bull gave his

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XI., 221.]

My Lord Duke.

I lately received a letter, from M^r^ Catherwood, my secretary in London, dated the 18 of May, wherein he acquaints me of his having often made application to Your Grace, for my leave of absence, and that he was in hopes of obtaining it. But in the latter part of his letter, he tells me, Your Grace declined getting my leave, till the report had been made, and considered in Council, which was a great disappointment to me, hopeing that after so many years absence I should have been indulged with it; And accordingly had put every thing on boar[d] His Maj^ty's^ Ship Greyhound, which was to sail in a few days, so that I must now undergo another winter's severity, and I am told that nothing but the Bath can be of service to me, my health being so much impaired by this Climat; therefore, I must again repeat my petition to Your Grace, to procure me my leave; and as the faction every day decreases, and the peoples eyes are open, I conceive it will be of no ill consequence to leave M^r^ Colden President, till His Maj^ty's^ pleasure be known, especially as Your Grace, has hinted, that you will not

agree to Mr Chief Justice Delancey's being left (with the Administration), I must likewise continue to recommend Mr Colden's services and fidelity to His Majty, that a faction may not have the pleasure to see an innocent person sink under the load of calumny, which they, for that purpose have heaped upon him.—I have the honour to be with the most profound regard

My Lord Duke

Your Grace's most obedient

Fort George in New York
18 July 1751.

and most humble servant
(signed). G. Clinton.

His Grace the Duke of Bedford.

Order of Council to prepare additional Instructions for the Governor of New-York.

[New-York Papers, Hh., No. 159.]

At the Council Chamber Whitehall The 6th of August 1751

By a Committee of the Lords of His Majestys most honorable Privy Council.

Whereas the Lords of the Committee of Council this day took into their consideration a Report made by the Lords Commissioners for Trade and Plantations, upon the present state and condition of His Majestys Province of New York in America, whereby it appears that great disputes have arisen between the Governor and the Assembly of that Province, which are still subsisting, and that many encroachments have been made by the Assembly on His Majestys Prerogative by wresting from the Governor several of the executive Parts of Government, which were vested in him by His Majestys Commission—And the Lords of the committee approved of what has been proposed by the said Lords commissioners in their said Report for putting a stop thereto for the future—Do hereby order that the said Lords Commissrs do prepare a draught of an Instruction or Instructions for the Governor of New York agreeable thereto

W. Sharpe.

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XI., 228.]

My Lord Duke.

Having some years since thought it for His Majtys service to suspend Mr Stephen Bayard from His Majty's Council of this province, an account of which I transmitted to the Board of Trade, with the reasons for so doing, but never received any answer from their Lordps upon it, tho' I was inform'd by agents that they were approved of. And as he has disqualified himself

now, by leaving this province and settling with his family in another, I beg leave to recommend M^r^ John Chambers, a Gentleman of an unexceptionable character, an opulent fortune, strongly attached to His Maj^ty^, and perfectly skilled in the Constitution of this Province, having been a noted practitioner in the Law for a great many years. And I hope it will meet with Your Grace's approbation and assistance in procuring the Royal Mandamus for him to be of the Council in the room of the aforesaid Stephen Bayard, as he is not only capable, but ready to assist me with his advice in any emergency wherein the Royal prerogative or the safety of the Province are concerned.

I lately made him second Judge of His Maj^ty's^ supreme Court, purely for his integrity, and to the universal satisfaction of the whole province, he has been often requested to represent this City, and would have been elected without the least opposition, but he still declined it, thinking, that he could be of more immediate service to His Maj^ty^, at the Council board, than in the house of Assembly. Therefore I must beg Your Graces interest that my suspension of M^r^ Stephen Bayard may be confirmed, and M^r^ John Chambers be appointed in his room.

I have the honour to be with the greatest respect
My Lord.
Your Grace's most humble and
most obedient servant
(signed) G. Clinton.

New York 25^th^ Aug: 1751.

His Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle II., No. 2.]

New York, 29. August 1751.

My Lords

Having some years since thought it for His Maj^ty's^ service to suspend M^r^ Stephen Bayard from His Maj^tys^ Council of this Province, of which I did myself the Honour to acquaint your Lord^pps^, but never received any answer upon it. And as he has now disqualified himself, by leaving this Province and settling with his family in another, I beg leave to recommend M^r^ John Chambers, a Gentleman of an unexceptionable character, an opulent fortune, strongly attached to his Maj^ty^, and perfectly skilled in the constitution of this Province, having been a noted Practitioner in the Law, for a great many years, and I hope it will meet with your Lord^pps^ approbation and assistance in procuring a Royal Mandamus for him to be of the Council in the room of the aforesaid Stephen Bayard; as he is not only capable, but ready to assist me with his advice in any emergency wherein the Royal prerogative or the safety of the province are concerned.

I lately made him Second Judge of his Majesty's supreme Court in the place of M^r^ Phillips deceased, purely for his integrity, and to the universal satisfaction of the whole province. He has been often requested to represent this City, and would have been elected without the least opposition, but he still declined it, thinking that he could be of more immediate service to his Majesty at the Council Board, than in house of Assembly.

I must beg leave also to remind Your Lordpps of my former Recommendation of Mr Brandt Schuyler to succeed Mr Daniel Horsmanden, whom I suspended likewise from the Council and transmitted my reasons for so doing, to your Lordpps, which was very well approved of long since, as I was informed by my Agents; but for want of having notice taken of it by Your Lordpps it has not only occasioned him to be more insolent to me but encouraged others to behave in the like manner; therefore I hope that my suspension of both, him and Mr Bayard may be confirmed, and Mr John Chambers and Mr Brandt Schuyler may be appointed in their rooms.

The inclosed letters I have received since I wrote to the Govr of Canada a copy of which I transmitted to your Lordpps in June last. I am with the greatest respect

My Lords, Your Lordpps

most humble and obedient servant

G. Clinton.

Colonel Johnson to Governor Clinton.

[New-York Papers, Bundle Ii., No. 8.]

(Copy).

Mount Johnson, 27. July 1751.

May it please your Excellcy

I inclose Your Excellcy an Account of what the French are about at Cadaraghqui, given to Captn Lindesay by Attrawaney a Cajuga Sachim, who begged of him to let me know it as soon as possible. I thought proper also to let your Excellcy know, that there has a body of French to the number of twelve hundred, and two hundred of Orondacks ettc. passed by Oswego, about a fortnight ago with a design to cut off (as I understand some of the Nations of Indians to the Westward, who are strongly attached to the British interest, also to stop the Philadelphians building at or near Ohio, or any where else there about, having this account confirmed by a French Deserter now at my house, who saw this body of Men set off from Cadaraghqui. — I immediately in Your Excellcys name, took upon me to send an express through all the Nations, with a large Belt of Wampum, acquainting them of the French's march that way, and desiring they might be on their guard; which has been so kindly taken by the Five Nations, that it is not to be expressed. I am with all due respect imaginable — Your Excellcy's ettc.

Wm Johnson.

Lieutenant Lindesay to Colonel Johnson.

[New-York Papers, Bundle Ii., No. 8.]

(Copy)

10. July 1751.

This 10 day of July Attrowaney came here from the Messesagas, where he had been negotiating an allyance with said Nation, he told, all the old Sachims were dead and young

ones put in their places, who confirmed their old allyance and promised to keep it firm and strong, altho' they were solicited by the French, not to make an agreement with the Five Nations.

He told, he was at Cadaraghqui, where they were building a large ship, which was to have three Masts, and that some there told him when fitted, was designed to come and take this place. That he saw the six Cannon, designed for said purpose, three yards long with a wide Bore. He brought with him eight Messesagas, young fighters, who were to go out with him against the Flatheads, I have done what I can to stop them, but yet can not tell if I have prevailed or not.

JNO LINDESAY.

Lieutenant Stoddert to Colonel Johnson.

[New-York Papers, Bundle Ii, No. 8.]

(Copy).

Oswego 19 July 1751.

Dear Sir,

As I did not know of this Battoes going of, till just now, have but just time to acquaint you, that there passed by here a few days ago some Cannoes of French Traders, who say there was an army gone up the other side the Lake, with which was two hundred Orondack Indians under the Command of Monsr Belletre and Chevalier Longville, and that their design was against a Village of the Twigtwees, where the English are building a Trading house of Stone, and that they are to give the English warning to move off in a peaceable manner, which if they refused, they were to Act with Force. And that they intended to build a Fort there and garrison it with three hundred Men. The Governour's Son of Montreal is hourly expected to pass by here with fourteen Cannoes of Soldiers, which are them designed to be stationed at the above place. This is the Village where George Croghan generally Trades, all the Indians of which are firmly attached to the English, for which reason the French call them Rebells, and are going to bring them into subjection; two of the Chiefs are to have no mercy, the others if they submit are to be pardoned—

BENJAMIN STODDERT.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Ii., No. 4.]

New York. 30. August 1751.

My Lords,

I do myself the honour to enclose a copy of the Governour of Canada's letter, in answer to mine of 12. June last, with a few remarks upon it made in haste, as likewise some extracts

from the Register of Indian Affairs in Albany, and should have sooner done myself the honour to have complyed with Your Lord^{pps} orders, relating to Indian affairs, but the papers were all in Coll: Johnson's hands, and as I had not appointed a Secretary, for Indian Affairs till last Jan^{ry} when the necessity of the circumstances of meeting the Indians were early, obliged me to appoint Edward Holland Esq^{re} Secretary; and when we went up to Albany to meet them, I sent an express for the Registers, and on perusing a part thereof the Extracts now transmitted to Your Lord^{pps}, were found, which are some proofs of the infractions of the French on the Treaty of Utrecht, & of their incroachments on the Territories belonging to the Crown of Great Brittain; and I doubt not I shall be able soon to transmit to your Lord^{pps} many more proofs to the same purpose, and to prove the whole remarks, after a thorough perusal of the Indian Registers, which till last month were only in loose Quiers of paper, but now they are strongly bound up into four thick Volumes in Folio, and they are now perusing with care, to get what intelligence possible for your Lord^{pps} that may be, concerning the Indian Affairs, pursuant to your Lord^{pps} orders.

I have the honour to be with great respect
My Lords
Your Lord^{pps} most obedient and
most humble servant
G. Clinton.

Marquis de la Jonquière to Governor Clinton.

[New-York Papers, Bundle II., No. 6.]

[TRANSLATED FROM THE FRENCH.]

Montreal, 10th August, 1751.

Sir,

I did not receive, until the 3rd of this month, the despatch your Excellency did me the honor to write to me by M^{r} Cornelius Cuyler on the 12th of June last.

You cannot complain, Sir, of the post I have caused to be erected at the foot of the Niagara carrying place, much less pretend that it is an usurpation on the lands of the subjects of the King, your Master.

Your Excellency might as well have said that I have invaded the territories of the King of Great Britain, for if it were true that the Iroquois of the Five Nations are his subjects, their lands would incontestably belong to his Britannic Majesty.

This, nevertheless, Sir, is the foundation you have wished to give to your complaint.

My answer will convince you that it has no solidity.

You, very unadvisedly, and in opposition to your own understanding, call the Five Nations subjects of the King, your Master. They are no such thing, and you would be very careful not to put forth such a pretension in their presence. You treat them with much more circumspection; and it is yet to be established *(a naitre)* that they have regarded the English in any other light than as their brothers. This is an evident proof that so far from

acknowledging them as their Masters, they declare themselves, on the contrary, in every respect, independent of them; and they even do not conceal that the English hold directly from them the posts they have in their territory, and that they will oblige them to surrender these whenever they shall think proper.

If the Five Nations were to subject themselves to any Crown, they could not help acknowledging the dominion of the King, my Master, and their natural inclination would lead them to do so.

In fact, Sir, you are not ignorant, and ancient and modern history bear testimony, that the French are the first white men that appeared on the territory of the Five Nations. It is with them that they first formed an alliance of friendship. It is from them they have received their first assistance; accordingly from that very moment did they call the French their Father.

It is unquestionable, then, that the French were the first to penetrate into the territories of the Iroquois; from that very moment they have taken possession of it, and this possession has been uninterrupted.

Now, were these lands susceptible of any dispute between the Kings, our Masters, and the question had been discussed at the time of the Treaty of Utrecht and Aix la Chapelle, it could not, in fair justice, but be decided in favor of France.

But the Iroquois wish to be the sole masters of their lands; they cease not to say that it is God who gave them to them, and that they acknowledged him alone for Master and Sovereign. This they have signified by authentic documents to the English and to the French.

I add, that the French, after having conquered their lands in the wars they had with them, gave those back to them and restored them to their rights by solemn treaties.

From all which it must be concluded that your Excellency has had no authority to object against the post I have caused to be established. It has been erected with the perfect knowledge of the Iroquois of the Five Nations, who alone are competent to complain of it. They did not oppose it; they consented to it, and have acknowledged that it would contribute as much to their advantage as to that of the French. It is only a house of refuge *(hospice)*, an entrepot of provisions, and a halting place for French voyageurs from the upper country.

I never should have thought that you would have claimed the four Englishmen who have been arrested, inasmuch as they have stated that they had a license from the Governor of Philadelphia, and none of them having exhibited it to me, they are considered as vagabonds and bush rangers.

But as your Excellency takes their part, and as nothing less than that is necessary to persuade me that you authorize and approve their conduct, I will consent to explain the reasons which caused their capture.

You are not ignorant, Sir, of the expedition M^{r} de Celoron made in the year 1749 to the Beautiful River by order of the Marquis de la Galissonnière; that he renewed for, and in the name of the King, my Master, the possession which his Majesty always held of those lands; that he summoned all the English traders there at the time to retire; that he wrote to the Governor of Philadelphia to inform him that he had fulfilled his mission, and to warn him that if any English traders should thereafter again make their appearance on the Beautiful River, they would be treated without any delicacy.

I had the honor to write you myself on the 7th of March, 1750, on that subject, and to request your Excellency to issue an order forbidding all the subjects of New England to go and trade on the territory of the King, my Master. In the same letter I had the honor to express

to you my just sensibility at all the secret movements of the English to induce the Indians, who, from all time, have been our closest allies, to destroy the French.

Although you did not honor me with any answer, I flattered myself, notwithstanding, that you would adopt strict measures to arrest the course of all these seductions, and maintain, on your side, the union that ought to subsist between us. But the result has undeceived me. The English, far from confining themselves within the limits of the King of Great Britain's possessions, not satisfied with multiplying themselves more and more on Rock river *(Rivière a la Roche)*, with having houses and open stores there, have, more than that, proceeded, within sight of Detroit, even unto the fort of the Miamis.

This proceeding, following so many unneighborly acts, the evil consequences whereof we but too sensibly feel, have placed M^r^ de Celeron, the commandant at Detroit, under the necessity of ordering these Englishmen to be arrested.

Three of them were first arrested at Ayonontout,[1] the place selected in 1747, by Nicolas, the Rebel Huron Chief, as his stronghold, near the little lake of Otsanderket,[2] that is to say within ten leagues of the town of Detroit. The names of these three Englishmen are Luke Arowin, an Irishman by birth, an inhabitant of Pensilvania, Joseph Fortiner, an inhabitant of the town of Gergé,[3] and Thomas Borke, an inhabitant of Linguester.[4] Lastly, the fourth Englishman, named John Pathin, an inhabitant of Willenstown, has been arrested in the French fort of the Miamis, by M. de Villiers, commandant of that post.

The capture of these four Englishmen ought not surprize you; 'tis certain, Sir, that they did not risk coming so to say, under his M. C. Majesty's cannon, except with sinister views.

Here is the proof of it.

1^st^ None of these Englishmen were ignorant of M. de Celoron's interdiction to the English traders in 1749; that interdiction is public throughout every place in New England, and consequently they are in the wrong when they do not confine themselves there.

2^d^ It cannot be said that they were at Ayonontout to trade with the Indians, because they had nothing but presents to distribute among them.

3^d^ It is so evident that they wished to hold a Council with the Indians in every respect fatal to the French, that they encamped in a place selected by Nicolas, a Huron chief, a rebel to the French, for his stronghold; they doubtless wished to persuade the Indians to entertain the same feelings as Nicolas, and to attach the most influential to them, in order to resuscitate that chief, who is dead, and to put in execution his nefarious project.

4^th^ What is remarkable and conclusive is, that the leader of these three Englishmen, Luke Arrowin by name, speaks all the Indian languages, is accustomed to the Upper Countries, and is very capable of making them subscribe to whatever he wishes.

This is so complete a proof, that it is unanswerable. As for John Pathin, he entered the fort of the Miamis to persuade the Indians who remained there, to unite with those who have fled to the Beautiful river. He has been taken in the French fort. Nothing more is necessary.

The little property that was taken belonging to these prisoners, has been claimed by the Indians as plunder. They have not been ill treated. Mr. Cuyler saw three of them in this town, who have their liberty, and want nothing. John Pathin could enjoy the same freedom,

[1] Called Junundat, and located at the head of Sandusky bay, in Pownall's map; but at the head of the Elk creek in Mitchell's map of 1755.

[2] Sandusky bay. [3] See Mitchell's map. [3] Qu? Jersey. [4] Lancaster. — Ed.

but he is so mutinous, and uttered so many threats, that I have been obliged to imprison him at Quebec.

You perceive, Sir, that the English traders observe no longer any discretion, that nothing can restrain them, and that they are redoubling their efforts to excite the Indian Nations against the French. 'Tis time to correct this, and you cannot do it too promptly.

If any Frenchman was wicked enough to do any thing prejudicial to the English, I would have him punished most severely, and if any are so venturesome as to go on the King of Great Brittain's lands, I disavow them from this moment, and consent that you secure their persons.

Mr. Cuyler will have the honor to report to you all the regard I have had for him, and that I granted him my authority for all the business he had to transact in this Colony, although the French have nothing directly or indirectly to do with it.

He will be able also to tell you how sincerely I desire to reëstablish the most perfect intelligence between the subjects of our Governments; to this I shall direct all my attention, and as soon as your Excellency will unite your efforts to mine, we shall have no difficulty in succeeding.

I must not conceal from you, Sir, that your deputy, Mr. Cuyler, has brought hither with him his brother, Mr. John Cuyler, who is not mentioned in his passport. It has been reported to me that this John Cuyler, who is a merchant, was trading with the French, and even with the Indians, and was constantly conferring with them in the house in which he lodged in this town, all which is highly improper.

I have the honor to advise your Excellency, that I issue my orders to have all the English sent back to New England, who will come to this Colony unprovided with a passport from their governor.

I shall await impatiently your answer.

I have the honor to be respectfully,

Sir,

Your most humble

and most obedient servant,

La Jonquière.

Governor Clinton's Notes on the Governor of Canada's Letter.

[New-York Papers, Bundle II., No. 7.]

Notes on the Gov^{r} of Canada's letter of 10th August 1751.

His Excell^{cys} letter of 12th of June last represented to the Gov^{r} of Canada, the infractions of the Treaty of Utrecht, in regard to the Fortifications he is building at Oniagara on the lands of the Five Nations, and nearly in the middle of their Country. And in regard to four English Traders, who were, in time of peace, supposed to be taken Prisoners on Ohio River, and plundered of their Merchandize, which his Excell^{cy} supposed, was without the Gov^{r} of Canada's knowledge or consent; but, requesting his enquiry into those things, and if found true to desist from building, and to set the prisoners at liberty and to recompense them for their damages.

The Gov^{r} of Canada, by his answer of 10th August, confesses the things complained of to be true, does not deny them to be infractions of the Treaty of Utrecht, but advances a number of facts groundless and false in themselves, which (says he) had they been known at the Treaties of Utrecht and Aix-la-Chapelle the Dominion of England over the Five Nations would not have been acknowledged by his Master the King of France, but rather that of his Master, says the four prisoners were taken trading with the Indians at Ohio, contrary to an ordinance of his, forbidding the English to trade there; tho' that be a Country belonging to the Five Nations, and the Twightees and other Indians upon it who are not Natives of the Five Nations, have been long agoe received by this Govern^{t} into the same Covenant Chain with the Five Nations.

This seems to be treating his Britanick Majesty and the Treaties of Utrecht and Aix-la-Chapelle with contempt, and the letter seems (what he says) beyond an answer, for the very answering would, it seems, be admitting solemn Treaties to be called in question. If any answer be thought of to him it ought to be, with the utmost caution and deliberation, and best advice possible.

It would seem proper, that one copy of the letter be sent forthwith to the Gov^{r} of Pennsylvania for his sentiments upon it, as the prisoners belonged to that Govern^{t} and a great part of Ohio River is actually within the grant to the Proprietaries of Pennsylvania. It would seem also proper that other copies be laid before his Maj^{tys} Ministers for redress from the Court of France, and that the Gov^{r} of Canada may be recalled, and punished for the infractions of the Treaties, and contempts expressed in his letter

So far on the letter in General. I shall now make some remarks upon some of the Paragraphs of the letter.

N^{o} 1. To deny, that the Five Nations ever were subjects of the King of Great Brittain, when his Dominion over them is expressly acknowledged by the 15th Article of the Treaty of Utrecht, is a piece of unparalelled effronterie

The sentiments which he there says the Five Nations have, are what the French have been inspiring them with for many years with the utmost application; and I wish they may not have prevailed too far. And if other measures be not speedily taken as to Indian affairs, there is no small probability that they will prevail.

N^{o} 2. I do not believe that the French were the first white people that appeared upon the lands of the Five Nations, it is near a hundred and forty years agoe since the Dutch settled at Albany and Schenectady, which places are part of the Country that did belong to the Five Nations, as appears by the Registers of Indian affairs here, and other authentic Monuments; and I question if the Five Nations had then, or for scores of years after, ever made friendship with the French, because of the assistance that the French, from their first coming to America always gave to the Alganquins, the most ancient and inveterate Enemies of the Five Nations.

N^{o} 3. I know of no possesion, that the French had of any part of the Country of the Five Nations, till long after their submission to the Dominion of great Brittain and some few years before the Revolution; and the first possession of the French of any part of their Country, was I believe at Cadaraghqui, and that was no more at first, then leave from the Five Nations to build a trading house in their Country for their convenience, but they afterwards having fortified that Place, the Five Nations took it from them twice, and tho' at the peace they made with the French in 1694 (because not assisted in the War by any of the Colonies but New York and found that they gave them not sufficient assistance) the French insisted upon settling again

at Cadaraghqui, yet the Five Nations absolutely refused their consent to it, as appears by the Indian Registers here.

The French possession of Detroit was not till after the peace of Reswick and it appears these incroachments were greviously complained of by the Five Nations to the Gov^r^ of New York, and they insisted then that His Britanick Majesty should apply to the French King for redress.

For that they converting those settlements into Fortifications, they saw, might in time, deprive them of their Beaver hunting Country, which extends from Cadaraghqui Lake to the Northermost part of the Huron's Lake, bounded on the Southward by Lake Erie and Detroit, and I suppose it was the many applications to the Court of Great Brittain after the peace of Reswick and during Queen Anne's war against those incroachments of the French, that induced the court of Great Brittain to insist at the Treaty of Utrecht upon an absolute acknowledgement of the Dominion of Great Brittain over the Five Nations, which was conceded to by the 15^th^ Article; for as to their first time of settling near Oniagara, it was only about the year 1720; and these three are the only settlements I know of, that the French have in the Country of the Five Nations, how far these (complained of as before) will be from supporting that assertion of the Gov^r^ of Canada, I submit.

N° 4. The settlement he is now making at Oniagara into a Fortification, is done in the sight and in defyance of the Five Nations, and of the Treaty of Utrecht. The last conference with the Five Nations at Albany in July last, will show how far they are from consenting to it; they are too sensible of the consequences of it ever in their senses to consent. Possibly the pretence he uses, in saying that it is only for a place of refreshment for Travellers, may, with large presents have prevailed on some particular Men of the Five Nations to consent to it, as was done at their former settlements at Cadaraghqui, Detroit and near Oniagara; but the sad experience, the Five Nations have found those refreshing places turned into Fortifications in defyance of them, and that they keep them against the Treaty of Utrecht, and all the applications that have been made for redress; and by means of these they will before long, if a proper remedy be not found, not only deprive the Five Nations of their Beaver Hunting Country, but stop all intercourse between the English, and the Far Nations of Indians in allyance with the Five Nations, as Oniagara is the Rout by which they come.

As to the Four prisoners, it would seem that the Gov^r^ of Pennsilvania is the most proper person to make remarks on that part of the letter.[1]

Governor Clinton to the Duke of Bedford.

[New-York Papers. (S. P. O.) XI., 224.]

My Lord Duke.

By this opportunity I do myself the honour, to acquaint Your Grace, that M^r^ Bradley, His Maj^ty's^ Attorney General for this province died the 28^th^ inst:

[1] The above Notes were written about the last of August or beginning of September. Governor Clinton's letter to the Governor of Pennsylvania, transmitting that of M. de la Jonquiere, is dated 2. September 1751. *Pennsylvania Colonial Records*, V., 553. — Ed.

Your Grace is well acquainted with the importance of that Office, and how much the dignity and authority of His Majᵗʸ's Governᵗ within this province depends upon the fittness and ability of the Person, that is to succeed Mʳ Bradley.

The want of those qualities in an Attorney General, together with the particular infirmities of Mʳ Bradley, have greatly embarrassed my Administration, weakened my hands and exposed not only my authority, but my person to such rudeness and insult as would upon a general report, scarce be credited at a distance, of which I have been obliged to give Your Grace, and my friends the trouble of receiving some information.

About two years ago I recommended to Your Grace the appointment of William Smith Esq: to that Office, and took that care at that time, that Your Grace should be informed of his character.

I then obtained Mʳ Smiths consent to accept that Office, attended with his earnest request, that an application might be made for a provision for Mʳ Bradley, and his family, without which he signified to me in the strongest terms, that he could not with pleasure accept it.

The late event has removed all difficulties on that head, and upon the first notice of Mʳ Bradley's death I immediately appointed Mʳ Smith to the Office, and ordered it to be notified to him, who waited upon me with his thanks, and an assurance of his faithful discharge of that duty.

I immediately ordered His Commission to be made out dureing pleasure, and this day I have put the seal to it, including the Offices of Attourney General and Advocate General which are so connected in point of duty within this province, that they can not well be seperated, or granted to different persons, and I am informed that every Attourney General has exercised both.

As to Mʳ Smith's Character I beg leave now only to add, to what I formerly informed Your Grace: That he was born in England at Newport Pagnel in Buck's County in 1697, and had an University Education, and the degree of Master of Arts, was admitted to the Bar here in 1725. where he has ever since practised with very great reputation, and an universal good Character, and in his principles is firmly attached to present happy establishment, and is by far the most fit, and able person in this province to execute the said Offices.

Wherefore I must intreat your Grace, that he may obtain His Majᵗʸ's own appointmᵗ of him for the said Office with the like salary of £150. sterling yearly, as the late Mʳ Bradley and others his predecessors Attourneys General of this province usually had.

I think it proper to remark to Your Grace that Mʳ Phillipse, second Judge of the supreme Court, having died three days before the beginning of the last Court in July, there was an absolute necessity of forthwith appointing another. I thought of John Chambers Esq: to fill the vacancy, a Gentleman who has practised the law here above twenty five years, with a good reputation, and a large estate, and a person, the most aggreable to the whole province, as he has always behaved with moderation, never countenancing any faction.

Upon my offer of the Office to him, he declined it unless it were granted dureing good behaviour, with such strong reasons, as convinced me of the necessity and fitness of granting of the Office to him in that manner, and I have not the least reason to believe that either I or any of my successors, or the people in General will have any cause to wish he had a less tenure in the office. I have the honour to be with the greatest respect

My Lord Duke

Your Grace's most obedient

and most humble servant

Fort George in New York
31ˢᵗ August: 1751

(signed) G. Clinton.

His Grace the Duke of Bedford.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle II., No. 9.]

My Lords,

Since I received the State of Indian affairs drawn up by M^{r} Colden, I have had information from the commanding Officer at Oswego, that a considerable body of French and Indians had passed by that place, in order to drive all the English Traders among the Indians away, and to detter all the Indian Nations from having any commerce with the English. By the same account I am informed, that the French are building a Vessel of Force on Cadaraghqui Lake. The Indians who gave the information, say, that they saw the Cannon which are to be put on Board that Vessel. If the French go on in this manner without obstruction, or any thing done on our part, to secure us and the Indians in friendship with us, the French in a little time must obtain an absolute influence over all the Indian Nations on the Continent; and a vessel of such Force, as this is said to be, will be sufficient to disposess us of Oswego.

Of what consequence this may, in time be of to the safety, as well as to the British Commerce among the Indians, Your Lord^{pps} will easily perceive, and how much the Indian affairs deserve your attention.

Without directions and instructions of a different nature from any hitherto given, no Gov^{r}, in my opinion, has it in his power to do what is requisite for preserving the fidelity of the Indians, and securing commerce among them, and therefore I hope your Lord^{pps} will excuse my recommending of this matter to your Lord^{pps} consideration, that some method may be speedily thought on to secure the Colonies against the designs of the French, and which from the papers I have had the honour to send to your Lord^{pps} must appear evident.

I am with the greatest regard

My Lords,

Your Lord^{pps} most humble

and most obedient servant

1. October 1751. G. Clinton.

Hon. Cadwallader Colden to Governor Clinton.

[New-York Papers, Bundle II., No. 10.]

(copy)

The present state of the Indian affairs, with the British and French Colonies in North America, with some observations thereon for securing the Fidelity of the Indians to the Crown of Great Brittain and promoting Trade among them.—

In obedience to Your Excell$^{cy's}$ commands, I have collected the informations we have received, relating to the Indian affairs with the English and French Colonies, and put them in such order, as from thence, their true State, at this time, may be put in the clearest light. For this

purpose, it is necessary to go so far back, as the time when your Excell^{cy} engaged the Six Nations in the expedition, intended against Canada, in the year 1746. Your Excell^{cy} no doubt, remembers, in what disposition the Six Nations were then, what influence the French had gained among them, and how the Commiss^{rs}, at that time, for Indian affairs, in this Province, had (even by their own confession) lost all influence among the Indians. That, at that time, M^{r} Johnson distinguished himself among the Indians by his indefatigable pains among them, and by his compliance with their humours in his dress and conversation with them; that he was the chief instrument, under Your Excell^{cy}, in perswading them to enter into the War against the French; but that it was principally effected by the very large presents publickly made to them at that time by your Excell^{cy}, and continued thro' M^{r} Johnsons hands, from time to time, till the peace was concluded, and for some time afterwards. The Commissioners for Indian Affairs having lost all influence on the Indians, Your Excell^{cy} found it necessary, to commit the whole conduct of Indian affairs to M^{r} Johnson with a Commission of Collonel to command them, and being furnished with larger sums for this service by the Crown with a Colonel's pay for himself, he made a greater figure and gained more influence among the Indians, than any person before him (so far as I have learned) ever did. And it is no wonder, since he had advantages much greater than any one before him ever had. The ascendancy which he had gained over the Indians appeared, by his being able to prevent their sending to Canada, to confirm the peace and to exchange their prisoners, as before this time they had always done, & in their trusting entirely to your Excell^{cy} for the recovery of their people, who were detained prisoners in Canada, by which they gave the French an undoubted proof, that they looked on themselves as subject to the Crown of Great Brittain.

The allowance for Indian affairs from the Crown being stopt on the conclusion of the peace, and the Assembly refusing to grant so much as the usual allowances made to the Commissioners for Indian affairs in time of peace, Coll: Johnson found himself disabled to carry them on without great prejudice to his private fortune, and if he had gone on in the expensive manner, to which he had accustomed the Indians, might have ruined his fortune.

Coll: Johnson being discouraged by the want of the necessary supplies, desired his dismission from this service, and at last (without Your Excellency's privity) sent a Belt round all the Nations, whereby he informed them, that he no longer took care of their affairs. This was a very odd step, such as nothing of the kind had ever been done before, & occasioned extraordinary speculations among the Indians, of which it is supposed the French Emissaries took advantage.

The Commission for Indian affairs had been, for many years past, intrusted with the Dutch at Albany; the last Commissioners had joined openly with the Faction in the Assembly, in opposition to the Administration and the Governour's measures, and they were, on the other hand, remarkably favoured by that Faction in the Representations and remonstrances of that House. They openly assisted each other in infusing prejudices in the minds of the People to Your Excell$^{cy's}$ administration.

The Commissioners were influenced by two motives; first, by resentment for the loss of that authority which they had so long posessed, and this Resentment was increased by its being put into the hands of an Englishman, whom the Dutch look upon as Intruders into their patrimony. The other was the loss the Commissioners thereby sustained in their private or personal Trade, or at least imagined that they did; for as the Indians, when they come first to Albany, go first to the Commissioners, they thereby gain a preference in the buying of Furs,

and likewise make use of the Money allowed them for Presents to the Indians, to trade with them preferably to others. This is evident by the interest the Traders make to be put into that Commission which otherwise could have no profit attending it, but by the method here supposed.

Coll: Johnson is the most considerable Trader with the Western Indians, and sends more goods to Oswego than any other person does; the people of Albany imagined, that his having the conduct of Indian affairs, gave him great advantages, for as he lives near the Mohawk Castle, and near forty miles from Albany, all the Six Nations and other Indians to the Westward stop at his house and were there supplied, and from that time few or none were seen at Albany. This touched a people, in the most sensible part, who have no other view in life, but that of getting money.

When the war broke out, the Contractors for supplying the Garrison of Oswego refused to continue their contract, unless a very considerable allowance was made for Escortes and other extraordinary expences. Coll: Johnson undertook it and supplyed a double Garrison at Oswego, by advancing the money on the faith of the Assembly; he advanced money for several other publick expences, by which a very large sum became due to him from the Province.

The Faction in the Assembly took a Method in favour of their Friends at Albany, which had been often before practised even with Gov^rs themselves, to induce them to comply with the humors of an Assembly, to the prejudice of the Prerogative, and tho' in itself the most ungenerous, that can be well imagined, yet had always proved effectual, because no private single Man was able to hold out against it. It was this. The Assembly under various pretences delayed or refused the payment of the sums which Collonel Johnson had advanced for the service of the Govern^t, sometimes by directing the payment to be made out of funds which they themselves knew to be exhausted, and by the Treasurer (who is the Assembly's Creature) his giving preference to Warrants payable to others, tho' of a posterior date, and by the Assembly's arbitrary cutting of some part of his accounts, tho' they were proved in the manner the Assembly required. This they did without mentioning what articles were dissallow'd, or giving him an opportunity of proving them, or assigning any reason, why they were disallowed; (vide. Minutes of Council at Albany July last & Coll: Johnsons memorial to his Excell^cy) By these means near two thousand pounds of money he has advanced, remains still due to him, and this without his charging any thing as a salary or Reward for his services, or any interest for the money, now several years due to him. After such usage, it could not be expected that Coll: Johnson would go on in the service of the Govern^t by advancing money on the credit of the Assembly for that service, while the Assembly not only refused to grant funds as was usual for those services, but refused to pay what was already due.

The Act by which the Garrison at Oswego is supported, by a duty on Rum and Strouds sold to the Indians, is contrived in such manner, that the conscientious fair Trader may be easily entangled and brought under difficulties, while the fraudulent dealer, may gain great advantages over him. And the Collectors of those duties have it in their power to favour their Friends and distress those they dislike. The Collectors have been so far favour'd by the Faction in the Assembly, that tho' they have for several years paid nothing of the produce of those duties as the act directs, into the Treasury, they have never been called to an account for the same. And the Six Nations complain heavily, the Mohawks especially, who live intermixed with the planters, that they must pay so much more for Rum and Strouds than their neighbours do.

There is reason to think, that all the Strouds sent to Canada, are exempted from this duty, whereby the French gain a great advantage over the English fair Trader, for those goods sold

to Frenchmen are not subjected to the duty, whereby the French are enabled to sell the goods which they buy at Albany cheaper to the Indians, than the English can do at Oswego.

But the greatest discouragement, in the management of the Indian Affairs, is by the Indians being constantly cheated by them with what they deal. This is a mischief that has been long complained of, and unless some Law were passed for the preventing of it, I know not how it can be remedied; for as the Law now stands, an Indian before he can obtain redress must fee a Lawyer, must take out a writ, fill a declaration, and at last wait twelve months for Justice, at two or three hundred miles distance, sometimes five hundred from his habitation, and without one farthing to support him, or to defray the charges of the suit, and then, his evidence is not admitted in any of our Courts, nor the evidence of any other Indian. Can these people who are treated in this manner be supposed to be under the protection of the King of Great Brittain, or can they be supposed to be treated like friends, or like rational or human creatures? it is but too obvious what the consequences of this treatment must be.

As the Govern^{t} have no funds for giving salaries to those who have the care of the Indian Affairs, they are generally left to the discression of the Traders with the Indians, who pretend to act without reward, and as they are divided into one set who trade to Canada and another who trade at Oswego, or directly with the Indians, these two sets are influencing the Indians in opposition to each other, in order to defeat the measures which the other takes. The several Colonies likewise have different and seperate interests which they severally regard more, than the common interest of the whole. Thus the Massachusetts Bay are at this time endeavouring to draw the Mohawks to settle on their frontiers for their security, and the people of Pennsylvania are endeavouring to draw them to the Frontiers of Pennsylvania, and none of them will unite in furnishing a common stock for the wellfare of the whole.

The Assembly, since the year 1746, have neglected to give the usual annual supplies for the expence attending the Management of the Indian affairs, till this last year, when they gave a sum for presents to the Indians, and that only after the repeated accounts received of the dissatisfaction the Indians had expressed, of their being totally neglected, since the conclusion of the peace. But surely, no great matters can be expected, from what can be done in eight or ten days time, at such Interviews with the Gov^{r}, when at all other times they are neglected. Thus it appears, that the Govern^{t} of New York was entirely disabled from taking the usual or any care of the Indian affairs from the conclusion of the peace, to the spring in the year 1751. by the Assembly's refusing to grant the usual supplies for that service, and by their distressing Coll: Johnson, with whom those affairs were intrusted.

The Gov^{r} in the conduct of Indian affairs is under a double disadvantage. The Assembly will grant no supplies for the usual expence of Commiss^{rs} for that service, unless the Creatures of the Faction be appointed, and who by their past conduct appear no way proper to be entrusted and on the other hand Coll: Johnson, by the large sums allowed him for that service in time of War, and by something in his natural temper suited to the Indian humour, has gained such an ascendency over them, that they insist on his continuing and will be dissatisfied with any other appointment as fully appears by the minutes of what passed at Albany in the last meeting with the Indians. Both seem to have in view, in opposition to each other to make it impracticable to carry on the Indian affairs, unless the one be seperately employed, exclusive of the other, and thereby the Gov^{r} is disabled to imploy either, or any other.

I shall next observe what has been done by the French in Canada in the same time; tho' the gaining the Indians, the preserving them in their fidelity, the keeping them in readiness to

join our Forces on the expedition intended against Canada and the sending out parties of Indians against Canada, was attended with a greater expence, than had ever been incurred on the like service before; yet we were assured by the French Officers, who came from Canada, after the Peace, on the exchange of prisoners, that the Gov^{t} of Canada was at a much greater expence on account of the Indians they employed, than we were. Every Indian employed by them, occasioned an expence, they said that could not be credited. The Power of the British Colonies, is so much superior to that of the French, that they could have no hopes of copeing with us in any regular attack, with regular troops or Militia, and consequently had no other method of making war, but by incursions of their Indians, and which they were therefore under a necessity of procuring at any rate.

The same reasons lay them under a necessity of endeavouring, by all means, to enlarge and spread their influence among the numerous Nations on the great Continent; and as they could not fail of being apprised of the difficulties the Administration in this Govern^{t} laboured under, they thought it the most proper time to redouble their endeavours, believing that no time could be more proper for an extraordinary expence, than this, in order to carry their purposes.

With these views they from time to time sent some of the Cacknawaga Indians among the Six Nations, to excite them to make incursions on the Southern Indians, in amity with South Carolina, with whom the Six Nations and Cacknawagas had been at war beyond the memory of any man living, thereby to weaken the Indians, who depended on the English Colonies and are faithful to them, by setting them on to destroy one another.

The Missisaquei, an Indian Nation, who formerly lived to the Northward of the Lake Hurons, and traded with the French, joined the Six Nations in declaring War against Canada. After the peace the Gov^{r} of Canada, resolved to make this Nation sensible of his resentment, and incited the Utawawas to join him in making war upon the Missisaquees, this obliged them to leave their Country, & come to settle near the Senecas on the East side of Lake Erie; and as the Missisaquies have received no support or protection from the English, any other Nation must be deterred from following the Example of the Missisaquies in joining hereafter with the English.

A considerable number of Indians, originally of several Nations formerly living near Hudson's River, Delaware, and Susquehana and several of the Six Nations settled near the head of the Branch of the Missisipi called Ohio by the French and Allegany by the People of Pennsylvania, with whom a considerable Trade is carried on from Pennsylvania, and they are in hopes of bringing the Twightees, a considerable Nation on the same Branch more westerly, to join with them and the Six Nations in confederacy; in order to defeat this Union, the Gov^{r} of Canada sent a Body of regular troops with a Number of Indians to draw off these Indians from the English interest by force if it could not be otherwise done. But when the French came, they found themselves to weak to attempt any thing by force, and were only able to disturb the English Trade, by sending in some of their Indians, to surprise the English traders, as they were upon their journey, which at several times the French I[n]dians did, and carryed the traders to the French Fort at Oniagara, where they were detained prisoners, and used with more severity than is used between Civilized Nations to prisoners in time of War. This is certainly in direct violation of the 15th Article of the Treaty of Utrecht, by which a free Trade with the Indians is expressly stipulated; but it was done with design to deterr the English from any attempts, for the future, to Trade with these Indians; and if care be not taken to prevent the like injuries, otherwise than by complaints to the Gov^{r} of Canada, or Court of France, they will at last effectually put an end to that Trade.

The French have Priests among the several Nations in amity with them, as well as Smiths and Traders, who, by presents, with which they are furnished out of the King's Stores and by other artifices endeavour to gain the affections of the Indians, and infuse prejudices to the English. The French Emissaries are often among the Six Nations, and some of them Trade among them, tho' they have not been able to settle any Priests anywhere in the Villages of the Six Nations; many of these Priests are for the most part engaged at a cheap easy rate, by a spirit of Enthusiasm, and others by hope of preferment. One lately tryed to have admission at Onondaga, but he could not obtain it. This Man is now settled at Kadarachqui River near where it comes from the lake of the same name; his residence being near the Five Nations, and not far from Oswego, he tries all means to draw the Indians to him, and to gain their affections, by distributing large presents among them, and other artifices, for which purpose he is not only liberally supplied from the King's stores, but, it is said, that he is a person of a considerable Estate, which he converts to the same use, on the promise he has had of a Bishoprick, after some certain time of service among the Indians.

The great advantage the English have over the French, is their being able to furnish the Indians with goods at a cheaper Rate, than the French can, to remove this disadvantage as much as possible, the French Officer at Oniagara has orders to sell goods, as cheap or cheaper, than is done at Oswego, tho' it should be done with the loss of 30000 Livres a year which he is promised shall be recompensed out of the King's stores, or from the Treasury.

The Indians, who trade at Oswego, generally pass by Oniagara; the French hope that if they can once perswade the Indians that they sell as cheap or cheaper than the English, the grand objection which the Indians make to their erecting fortifyed Trading houses will be removed. And if they can be once well secured by fortifications, at all the passes between the Lakes, they can then speak in a different tone to the Indians, and by force prevent their going to Trade anywhere but with them. The French have already a Fort and a settlement of French Farmers sufficient to supply themselves with provisions at a place called Detroit, between lake Erie and the lake of the Hurons; but the Five Nations would never suffer any Fortifications, at the Straits between Lake Erie and Kadarachqui Lake, till since Queen Annes War, the French have obtained leave to build a Store house, to save their goods in transportation over the pass, between the Lakes, which they have insesibly fortifyed; but now they are attempting a Fortification of a different kind, which if they can accomplish and finish, as it is projected, will be of great consequence, not only as it will keep the Six Nations, at all times in awe, but intercept all the Indians to the westward of it, and where the great Beaver hunting is, in their way to trade with the English. Besides these Forts, the French keep a small armed Sloop on Cadarachqui Lake which may be of great consequence in preventing trade with Oswego. The Six Nations in general are very sensible, how much their liberty will be affected by these Forts, and are much displeased with them, tho' the French by presents and other Artifices gain some particular Indians to favour their designs. The Indians would gladly prevent the Building of these Forts, but they have such an opinion of the French power and good policy, that they dare not attempt any thing of themselves by force, while they can not depend on being effectually supported by the English, which our conduct of late has given them too good reason to doubt of.

The English only complain and expostulate with the Gov^{r} of Canada or the Court of France; The French give amusing or evasive answers, but still go on with their works, and in pursuing their grand design, till they shall have brought their work to such perfection, that they can without fear avow their Intention.

The grand advantage the French have is, that their affairs among the Indians are all directed by one Council, and no expence is thought too great, which is necessary for their purposes; at the same time it is certainly true, that they do perform the same service, at half the expence the English do.

I shall now humbly submit my opinion of what may be proper to be done in order to secure the Fidelity of the Indian Nations already in amity with the English Colonies, to promote our interest and trade among them and all the other Nations in North America, and defeat the designs of the French to our prejudice. For these purposes, it seems in the first place necessary, to take off all duties and imposts, from the goods used in the Indian Trade, for since the principal advantage the English have over the French is, in being able to furnish the Indians with goods at a cheaper rate, the laying duties on Indian goods, is in a great measure giving up that advantage. Besides by the artifices used in collecting those duties, the trade is much hampered, and the fair trader discouraged, and the knavish part of the Traders, get advantage of the honest.

Next, some law ought to be passed, whereby the Indians, on their complaints, may get Justice done them speedily, by summary proces, and that in all dealings, between Indians & Christians, Indian evidence be allowed; they, who are acquainted with the Indians and the Indian Traders, I am confident will allow, that the Indians have the telling a lye, in evidence, as much in abhorrence as the Traders have swearing a falsehood.

After long observation on the conduct of Indian affairs, I am of opinion, that they can only be managed by one single person of sufficient ability, as Superintendant of Indian affairs, who shall not be allowed to trade in any shape directly or indirectly. For, all the abuses and negligences in the management of these affairs have arisen from the private views, the Commissioners of Indian Affairs have had to promote their own trade, and to lay the other traders under difficulties and disadvantages. This [matter] of the trade raises perpetual jealousies among the people employed in it, and likewise with our neighbouring Colonies, and bring the Commissioners into contempt among the Indians, many instances of which can be given, and are well known to all, who have any knowledge of Indian affairs. If the frauds and abuses in Trade be not effectually prevented, it will be impossible otherwise to preserve the affections of the Indians. Those abuses can no way be prevented, but by appointing some single person of sufficient ability, and with authority to redress the Injuries which the Indians receive, and to prevent their receiving the like for the future, and that he have an allowance sufficient to encourage a Gentleman fitly qualified for these purposes; that he be enabled to send Smiths, to reside among the Indians, men of the best probity and sence that can be found for that purpose and to send other Messengers, both, Indians and Christians to the distant Nations, upon any emergency and as occasion shall require.

No doubt it will be of great use to have Missionary preachers settled, in as many places, as there can be requisite funds found for their subsistence. It is to be hoped the Societys in England for propagating the Gospel and Christian knowledge in Foreign parts, will contribute to their utmost abilities; in this case, much will depend on the choice of the persons, they must be subject to the direction of the Superintendant of Indian Affairs and correspond constantly with him.

The Superintendant ought constantly to correspond with the Board of Trade, and with all the Governours on the Continent of North America, to give and receive intelligence and advice. So far I think it is necessary, and perhaps may be sufficient to promote our interest

and Trade among the Indians, if the designs and enterprises of the French were not at the same time to be guarded against. For this purpose I am of opinion, the building a Sloop of Force at Oswego, in order to cruise the whole summer on Cadarachqui Lake, would be of great use because all the Indians or Traders who go or come from the Indian Nations to the Westward, and all the Fur Trade passes through this Lake. This vessel may carry goods to several parts round this Lake, at stated times, at which time the Indians living round the Lake and at a distance from it may come by appointment or advice to purchase those goods at the cheapest rates. She ought to be of such force as to be under no apprehensions from the small Sloop, which the French have on the same lake. This I hinted to M^r^ Clark several years since, and I was told he proposed it to the Board of Trade; I have since often heard your Excell^cys^ mention it as a thing you thought would be of great use. Next, to make a settlement and some kind of fortification at Irondequat, which is on Cadarachqui Lake, about half way between Oswego and Oniagara, where the French are now building their Fort; this has likewise been long thought of, as the Land there is very good and fit for a settlement, and has been purchased of the Indians for that purpose. The uses of this Fort and settlement are: first, that it is the pass from Canada to the Senecas Country; secondly, that in case the French obstructed the passage at Oniagara, the Indians by making a circuit within land, could come to this place to Trade; thirdly, it may be very convenient on many occasions as a harbour for the sloop proposed to be built on the Lake Cadarachqui; 4^thy^ if we do not take possession of it, the French will, which they have again and again attempted; and lastly, in case of War, it will be of great use in securing the fidelity of the Cayugas and Senecas and neighbouring Nations, and a necessary step, if any design should be formed against the French Fort at Oniagara. The Sloops being first built, would much facilitate the Settlement at Irondequat; these things are all, that I think necessary and practicable at this time. It remains only to show, how a Fund may be found, for the necessary Expence attending these services, proposed to be done.

This I think may be done by a duty on all Wines and Spirits, imported into, or made in any of the Colonies of North America, and I am persuaded it will be sufficient for all the purpose before proposed, if the same be duly Collected. It can be no prejudice to Trade, as it is general on all the Colonies, whereas now, a duty is laid on Spirits in some of the Colonies, while others are free, which lays the one under disadvantage in their Trade, from which the others are free; but in this case, all being equal, it must fall on the Consumers, on whom it can not be a hardship, or if they think it hard, may forbear the use of those liquors. So far as I can apprehend, it can be of no disadvantage to Trade, except in one instance, viz^t^ in the exportation of Spirits from North America to the Coast of Africa, for purchasing of Slaves, in which case, if thought necessary, the duty may be drawn back; 40 shillings on every pipe of Wine, and three pence sterling on every gallon of Spirits may be sufficient (see the Custom house books). It is true that Spirits make a considerable part of the Trade with the Indians, but if it be considered that there is now a duty of one shilling a Gallon on all Rum sold at Oswego or to our Indians to the Westward of Albany, for the support of that Garrison, and notwithstanding of this we can undersell the French in this article, it may be presumed that the duty of three pence p^r^ gallon can not hurt the Trade with the Indians, more especially, when this Trade is to be freed from all other imposts, and the Traders from many difficulties they now labour under. As this duty is proposed to be general over all the Colonies, it must

be imposed by Act of Parliament, because it would be a most vain imagination to expect, that all the Colonies would severally agree to impose it.

Now, Sir, I have, as far as I am capable given your Excell^cy the present State of Affairs between the English and French Colonies, and the Indians, and of what, at this time I think necessary to secure their Fidelity, promote the British Interest, and defeat the enterprises of the French to our prejudice. One thing remains further to be considered; to secure our frontiers from the incursions of the French Indians in case of a future War. If what I have already proposed to be immediately put in execution, it will in a great measure secure the Colonies from such like attempts, because in such case, the French will have too much to fear wantonly to provoke us, by the incursions of a few Indians, that in such case will be under their direction. But notwithstanding of this, it would be imprudent not to take what care we can against the dangers, and the time of peace, is the only proper time to do it; in time of War we shall have too many things on our hands, and a great expence otherwise unavoidable. We may learn from our natural Enemies, the French of Canada what is proper to be done; as soon as a peace is concluded, they begin to take all the necessary precautions for their security against a succeeding War.

The French Fort at Crown Point is of little consequence, as to Trade, only so far, that it puts it in the power of the French to encourage or stop the Trade between Albany and Canada, at their pleasure, as they shall, under a change of circumstances, think it most for their benefit. But, as I think, it would be most for their[1] British Interest to have that Trade entirely stopt; I am under no concern, for what difficulties it may be laid under; perhaps this Trade alone secures the Cacnewagas in the French Interest, by the particular benefit they reap, by being the common carryers between the Dutch at Albany and the French. If they were deprived of this Benefit, they would find it for their interest to return to the Five Nations, from whom they are originally deserters, and speak the same language. However, this may be, it is certainly necessary to build one or more Forts, near the carrying place, between Hudsons River and the Wood Creek, in the way from Albany to Canada, as by this pass, the French Indians make their incursions, in time of War, on New York and New England. The principal use of the French Fort, S^t Frederick, on Crown Point, at the south end of Lake Champlain, is to defend Canada ag^st incursions from New York and New England, and to make incursions from thence on those Provinces, and therefore it becomes necessary to have one or more Forts at this pass, to prevent those incursions, and which may likewise prevent any common trade with Canada, which hereafter may be thought prejudicial to the safety or interest of the British Colonies. As these Forts will be a security to all the Northern Colonies, the expence of building and supporting them ought to be a general charge on all. The Frontier provinces must unavoidably suffer many inconveniencies in time of war especially, from which the others are freed, and from which they are freed, by their being frontiers to them; and therefore it is highly reasonable, that the others should contribute to the charge of the defence of them. And the others being at a distance from the frontiers makes them more able to bear the charge. But from what has been perpetually observed on this head, in all times past, it is not to be hoped, that the other Colonies will contribute to this charge in such proportion as they ought, if they do it in any proportion, otherwise, than by being compelled to it by some superior authority.

This Memorial has run out into a much greater length than I intended or expected it would; but as I believe that your Excell^cy may design it for the use of those who probably are not so

[1] *Sic.* the. — Ed.

conversant in the Indian affairs, I thought it necessary to give a circumstancial account of them, which is, however, humbly submitted to your Excell^cys correction, Judgement and experience in those affairs by—Sir,

Your Excell^cys most obedient
and most humble servant
CADWALLADER COLDEN

New York August 8, 1751.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle II., No. 11.]

New York. 5 Novemb^r 1751.

My Lords,

As it is expected, that the Proprietaries of Pennsylvania may make application for an order, to put a stop to any grants of lands in this Province to the Northward boundary of Pennsylvania, I have thought it proper to inclose a copy of the Lieut^t Gover^r of Pennsylvania's letter to me on that subject, together with the opinion of the Council of this Province thereon.

I shall only add, that there is a large Tract of vacant Land in this Province to the Northward of Pennsylvania, and that any order to stop the grant thereof (till that Northern boundary be fixed) may be a prejudice to the peopling and cultivating of this Province, and likewise a prejudice to His Maj^ty's Revenue, by his Quit rents, unless care be taken at the same time that the necessary expence be provided for ascertaining of that line without delay.

I take this opportunity to acknowledge the receipt of your Lord^pps Secretary's letter dated July the 9^th 1751. (with the Three Acts of Parliam^t relating to the British Plantations enclosed) and shall govern myself accordingly in the several matters therein contained.

In eight or ten days I expect another Vessel will sail for England, and as the Assembly of this Province is now sitting, I purpose to do myself the honour to transmit to your Lord^pps an account of their proceedings.

I am with very great respect
My Lords,
Your Lord^pps most obedient and
very humble servant,
G CLINTON.

Governor Hamilton to Governor Clinton.

[New-York Papers, Bundle II., No. 12.]

(copy).

Philadelphia. 13. Sept^r 1751.

Sir.

I was prevented by indisposition from acknowledging the Receipt of your Excell^cys letter, of the 13^th of August, with the intelligence that accompanied it, relating to the French designs

upon Ohio. As our Assembly was then sitting, [I] immediately laid it before them for their consideration, tho' at the same time I had no reason to expect, they would advise the taking any vigorous Measures, to oppose the execution of the French schemes, so that I was not at all disappointed, when they let me know, that at present they did not incline to do any thing in that affair.

The Gov^r^ of Canada's letter of which you are pleased to inclose me a copy in yours of the second instant, is indeed a singular piece of argumentation; but though his reasonings are every where false, as might be easily proved, yet I think it will be to no purpose to confute them, since little regard will probably be had to any thing that can be said on this side the Water. I am therefore very glad you have been able to furnish his Maj^ty's^ Ministers with so explicit a declaration of the French, upon that head, that they may, if they think it adviseable, to take proper measures to prevent the consequences likely to ensue from Councils founded on such manifest contradictions to Treaties.

What I am now about to represent to your Excell^cy^, will I hope be considered as my indispensible duty to the Proprietaries of this Province, whose interests, if my information be true, may be very much affected, by the proceedings of Coll: Johnson and some other Gentlemen in your Govern^t^, who I am told have obtained a warrant for laying out a very large tract of Land, more than one hundred thousand acres, on the East branch of Susquehannah River, to adjoin the line of this Province. Now, as the Northern boundary of Pennsilvania is not yet fixed, those Gentlemen for want of due information, may probably by virtue of this Warrant, survey lands within our Province, which may hereafter occasion disputes, between us, especially if settlements should be made upon them. With a view therefore of avoiding every thing of that kind, I should be much obliged to your Excell^cy^, to signify to the Gentlemen concerned in that Grant, that I will advise the Proprietaries of it, by the next conveyance, that if they please they may take immediate measures for settling their Northern boundary with the Crown. Such a step which it is the Proprietaries interest to take, will put the boundary out of dispute, and then these Gentlemen or any others concerned in grants of land, will be under no difficulty where to locate their Warrants, but till that be done, it appears to me, they will run a great risk in their locations.

As a testimony of my regard for those Gent^n^, and for their further information, I beg leave to acquaint your Excell^cy^, that the Province of Pennsylvania, by the Royal Patent, is to contain all the lands within five degrees of West Longitude, from the River Delaware, which is the Eastern boundary thereof; and three degrees of Latitude, beginning at a circle drawn at twelve miles distance, Northward and Westward, from the Town of Newcastle, and to be bounded by that circle, till it intersects a line running due West from the Town of Newcastle, and by that line continued due West to the limits of Longitude above mentioned, which part of the said circle, and due west line, is to be the south boundary of the said province, so that it is of little import in what degree of latitude that part of the said circle and West line fall, nor what it is supposed to be in the patent, since Newcastle is a certain determined point or station given and fixed in the patent, from whence and not from any imaginary point or line in the heavens, the three degrees of latitude are to be measured. If these Gentlemen therefore will consider how far three degrees of latitude to be measured from Newcastle will extend, (perhaps not short of the latitude of Albany) they will be the better able to judge how to keep their survey clear of this province.

I have not gone into this account of the Bounds of Pennsylvania with any design to begin a dispute, but merely with a view to apprise your Excell^cy^, and the Warrantees, of the light in

which the boundaries of this Province are considered here. And that in my opinion it would be for the interest of the parties, that our proprietaries should first be made acquainted with their Grant, before they put themselves to any considerable expence about it, in order that they may take measures with the Crown, to ascertain their Northern boundary. But if the lands should be actually located, and there should be reason to think any part of the survey comes within the line of this Province, I hope Your Excell^{cy} for prevention of any future disputes, will permit the Agents of the Proprietaries of Pennsylvania residing here, to lodge a Caveat in your Land Office, against the acceptance of such survey.

I am much obliged to your Excell^{cy} for the care you have always taken to communicate to me whatever has appeared to you, to merit the attention of this Govern^{t}, which Indian Affairs most particularly do. And shall request of you the continuance of the same good disposition. And hoping your health is perfectly reestablished by means of the country air, I have the honour to subscribe myself with very great regard.

Sir,

Your Excell$^{cy's}$ most obedient
humble servant
JAMES HAMILTON.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle II., No. 15.]

My Lords,

By his Grace the Duke of Bedford's letter of the 10th June last, which I received 12th of September, I am acquainted that as soon as the lords of the Privy Council shall have made their report on the state of this Maj$^{ty's}$ Province, I should be informed of the steps which must be taken towards remedying the evils complained of, and reducing the Province into a proper state of order and obedience, and in the mean time, I am directed to use my endeavours, that no inconvenience may arise to His Majesty's service by this delay. I put off the meeting of the Assembly, as long as the season of the year would permit in hopes of receiving those orders, but as yet I have received none.

When the Assembly met, there was not one farthing remaining that could by the Gov^{r} or Council be applied for the Salaries of the Officers or for any contingent service, nor for the expence of managing the Indian Affairs (see Minutes of the Assembly N° 1. 2. 3. fol: 3. N° 4. fol. 9.) at a time when the French Emissaries are endeavouring by all means and at any very great expence to withdraw the Indians from the British Interest, as by the Informations I sent your Lord^{pps}, will fully appear.

These were such evident inconveniences to His Maj$^{ty's}$ service, that I concluded, his Grace's intention was, that I should remedy them in such manner as was in my power, till such time as particular orders should come.

All my friends were unanimously of opinion that the Assembly would grant no support otherwise, than in the manner they had done for some years past, and the Council thought it would be of the least inconvenience to His Maj$^{ty's}$ service to the support of Govern^{t} to be made

in the manner the Assembly could be persuaded to grant it, 'till such time as these new orders should come.

But no provision for the expence of managing the Indian Affairs could be obtained, without my consent to the nomination, by the Assembly (see Minutes N° 6 and 7.). This was a new usurpation on the Prerogative, which had never before been made, and to which I could not without breach of Duty, yield. Besides this, I had another strong reason not to comply with this demand. There is a very pernicious clandestine Trade carryed on between the City of Albany and Canada (and which is not in my power to prevent) by which the French are enabled to undersell the English fair Traders among the Indians (see N° 5.). by reason the goods they sell to the Indians are subjected to heavy duties, for the support of the Garrison and Trading house at Oswego. By this advantage in Trade, the French may obtain an influence over many numerous Nations, destructive of the British Interest among them, and thereby render the safety of the British Colonies on the Main precarious, and I was well assured, that the Assembly designed to nominate some or all of the Persons concerned in this pernicious trade to be Commissioners for managing the Indian Affairs. These Commiss^{rs} when nominated by the Assembly, would have disregarded any orders from the Gov^{r} or Council, many examples of such disregard may be given, where such nomination have been allowed of.

I likewise by Message laid before the Assembly a survey taken of the fortifyed Trading house at Oswego, whereby it appeared that the house was in a ruinous Condition, and not fit to save the Men in Garrison, or the Stores from the Rain and Weather, the Assembly notwithstanding that Message made no provision for the necessary repairs.

Several persons had advanced, by my orders with advice of Council, sums of money for the contingent services of the Govern^{t}, among which was Coll: Johnson, who had advanced a very large sum for the Indian affairs, and for Messages to & from the Gov^{r} of Canada; the Assembly refused to provide for the payment of these debts, without assigning any reason for this their refusal, or so much as alleging they were not for the publick service, or that any one article in their accounts was an overcharge and without allowing any one person to justify the charge by them made. But by a Bill from their house, which they sent to the Council for concurrence, they directed the payment of many sums to several persons, notwithstanding that the accounts by which these sums were demanded had been in the least ever communicated to me, or certifyed by me to have been for the public service. When that Bill came before the Council, the Council desired that the Assembly would communicate to them the Accounts and their Vouchers (see Minutes of Assembly N° 8 fol: 41.) for which these sums were to be paid, which the Assembly absolutely refused (see minutes of Assembly N° 9.).

When the Council observed, near the close of the session that the Assembly had neglected to provide for the expence of managing the Indian affairs and for the repairs of the Garrison at Oswego, they passed a Bill (see Minutes N° 11). for defraying the expence necessary for these services, out of the money raised and applyed to the support Govern^{t}, and send it to the Assembly for their concurrence, which the Assembly rejected on the first reading (N° 12). which occasioned the Council to make those resolves (see Minutes N° 10). It is to be observed that the moneys granted for the support of Govern^{t}. are applied in the following words: "Be "it enacted by the same authority that all the money to arise by this act shall remain in "the Treasury until the same shall be applied for and towards the support of this Govern^{t} "by Act or acts of the General Assembly to be passed for that purpose in this present Session, "or in any other session or sessions hereafter"—

From the whole it appears that the Faction in this Province continue resolute in pursuing their scheme of assuming the whole executive powers into their hands, and that they are willing to risk the ruin of their Country, in order to carry their purposes.

Your Lord^{pps} will see, how necessary it is to expedite the orders which his Grace of Bedford has given me reason to expect for reducing this Prov^{ce} into order and obedience.

I have the honour to be with the greatest regard—My Lords,

Your Lord^{pps} most obedient
humble servant
G Clinton.

19. Nov^{r} 1751.

Governor Clinton to the Earl of Holdernesse.

[New-York Papers. (S. P. O.) XI., 223.]

My Lord.

I hope from the proceedings in the last sessions of the Assembly of this Province (the particulars of which are sent to the Board of Trade) Your Lord^{p} will perceive, that I have proceeded with a proper moderation, and that I have avoided every occasion of dispute with the Assembly, tho' again & again attempted by them, as will appear by their addresses, as they call them, at the opening & conclusion of the Sessions. The address of the Council is so full and plain an answer to the Address of the Assembly of the 20th inst:, that I hope it is needless to add any thing to it; I must only observe that M^{r} Chief Justice Delancey and M^{r} Murray did not attend at the Council, tho' summoned in the usual manner.

On consideration of the calumnies and aspe[r]sions publickly thrown on the Governour and the other officers who have zealously endevoured to serve their King and Country, they were unanimously of opinion, that it was proper for me to show some resentment to their proceedings, by dissolving the present Assembly even tho' it should happen that the same men, were to be chosen again, and a worse can not happen, nor their malice can not be greater, than it has been, and is still at this present. And had I but received the instructions from His Maj^{ty} (in pursuance of the Lords of Trades reports in Council) relating to reducing them to order and obedience, as I had great reason to expect from his Grace of Bedford's letter to me of 10th June last, I make no doubt but the next choice, might have been supplyed by better men. But I fear the delay of those orders may be prejudicial to my earnest endevours to support His Maj^{tys} prerogative, as I know the Faction will spare no pains nor money; I cannot much depend on a capricious multitude.

Your Lordship may plainly see what difference there is in the proceedings of Council now, from what it was, when the Faction had the majority in both Council and Assembly and under what difficulties I must have laboured in the Administration, while the joint endevours of both, Council and Assembly were to perplex the publick affairs; and that at a time when this province was actually involved in a war with their neighbours the French. I am persuaded that on an attentive consideration of Publick transactions in the Govern^{t}, your Lord^{p} will,

without difficulty, perceive that the Faction was and is resolved to pursue their malicious purposes, tho' it were to be at the risque of the ruin of their Country—I am with the greatest respect

My Lord

Your Lordships most obedient
and most humble servant
(signed) G. CLINTON

Fort George in New York
25th Novr 1751.

The Right Honble the Earl of Holderness.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle II., No. 21.]

New York. 25 Novr 1751.

My Lords,

I hope, from the proceedings in the last sessions of the Assembly of this Province, it will appear to your Lordpps, that I have proceeded with a proper moderation, and that I have avoided every occasion of dispute with the Assembly, tho' again and again attempted by them, as will appear by their address (as they call it) at the opening and concluding of the Sessions.

The address of the Council is so plain and full an answer to the address of the Assembly of the 20th instant, that I hope it is needless to add any thing to it, I must only observe, that Mr Chief Justice Delancey and Mr Murray did not attend at this Council, tho' summoned in the usual manner.

I must likewise observe that the Council, thinking it not proper to detain the Assembly after all business was over inadvertently omitted several articles in the usual provision for Indian affairs, which would have encreased the deficiency in the provision made for those affairs in the last Six years to at least 500 pounds more than what they have calculated.

On consideration of the calumnies and aspersions publicly thrown by the Govr and other Officers who have zealously endeavoured to serve their King and Country, they were unanimously of opinion, that it was proper for me to shew some resentment to their proceedings, by disolving the present Assembly, even tho' it should happen, that the same men, were to be chosen again, and a worse can not happen, nor their malice can not be greater, that it has been, and is still at this present. And had I but received the Instructions from his Majesty in pursuance to your Lordpps report in Council relating to reducing them to order and obedience, as I had great reason to expect, from his Grace of Bedford's letter to me, of 10th June last, I make no doubt, but the next choice might have been supplied by better Men. But I fear the delay of those orders may be prejudicial to my earnest endeavours to support his Majtys prerogative, as I know the Faction will spare no pains nor money, I can not much depend on a capricious multitude.

Your Lordpps may plainly see what difference there is in the proceedings of Council now, from what it was when the Faction had the majority in both, Council and Assembly, and under what difficulties I must have laboured in the Administration while the joint endeavours

of both, Council and Assembly were to perplex the public affairs, and that at a time, when this Province was actually involved in a war with their neighbours the French. I am persuaded that on an attentive consideration of publick transactions in this Govern^t, your Lord^pps will, without difficulty, perceive, that the Faction was and is resolved to pursue their malicious purposed,[1] tho' it were at the risk of the ruin of their Country.

My Lords, I can not forbear on this occasion again to mention M^r Colden's services, who, in a manner alone formerly, stood by me against the malicious efforts of the Faction in both, Council & Assembly, and I may assure your Lord^pps, that tho' the heads of the Faction have endeavoured with the utmost stretch of malice to calumniate this Gentleman's character; whatever may be the effects of the endeavours of the Faction where he is not known, I am well assured, that his character stands fair in the opinion of the people in general of this Province, and in the neighbouring Colonies, since no temptations nor discouragements have made him swerve from his duty in His Majesty's service, in which he has been now above thirty years. I must earnestly recommend him to His Maj^ty's favour, a neglect of him may be of prejudice to His Maj^ty's service hereafter, not only as it must discourage him, but may intimidate all others on the like occasions. — I am with very great respect

My Lords.

Your Lord^pps most obedient
humble servant
G. Clinton.

Lords of Trade to the King.

[Plantation General (B. T.) XLIII., 286.]

To the Kings Most Excellent Majesty

May it please Your Majesty.

In obedience to Your Majesty's Order in Council of this day's date containing regulations with respect to Your Majesty's Colonys and Plantations in America, and to the conduct of Governors and other officers there; we have prepared the draughts of Additional Instructions for the Governors of Your Majesty's said Colonys & Plantations conformable to Your Majesty's said order, & herewith beg leave humbly to lay the same before Your Majesty, for Your Majesty's royal approbation

Which is most humbly Submitted

	F. Fane	Dunk Halifax
	Cha: Townshend	J. Pitt
Whitehall	Andrew Stone[2]	Ja^s Grenville
March 11. 1752.	Ja: Oswald.	Dupplin

[1] *Sic.* purposes.

[2] Mr. Stone was originally private secretary to the Duke of Newcastle, and in 1736 under Secretary of State; he was sub-governor to Prince George, Keeper of the State Paper office, and in 1761, on the marriage of George III., was appointed Treasurer to the Queen. He died in 1773. *Walpole's Letters*, (Pa. ed.) I., 304. Note. — Ed.

Additional Instructions to our Trusty and Welbeloved Henry Grenville Esq^{r} Our Captain General and Governor in Chief in and over our Islands of Barbados S^{t} Lucia, Dominico, S^{t} Vincents, Tobago, & the rest of our Charibbee Islands lying to Windward of Guardaloupe in America; or to the Commander in Chief of our said Islands. Given at our Court at S^{t} James the day of March 1752 in the twenty fifth year of our Reign.

Whereas the Governors of such of our Colonies and Plantations in America as are more immediately under our Government are, in particular cases as well as in general, directed and required by our Instructions to transmit unto us by one of our Principal Secretaries of State and to our Commissioners for Trade and Plantations, accounts from time to time of all their proceedings, and of the condition of affairs within their respective Governments; And Whereas it doth appear to Us that it will tend to the benefit of our said Colonies and Plantations, the ease and convenience of our subjects, and the greater regularity and dispatch of business if the correspondence be confined to & pass through but one Channel. It is therefore our express Will and Pleasure, that in all cases wherein by our Instructions you are directed to transmit any particular or general accounts of your proceedings, or of matters relative to the affairs of our Islands under your government, you do for the future transmit the same to our Commissioners for Trade and Plantations only, in order that they may be laid before Us.

Provided nevertheless, and it is our express Will and Pleasure that whenever any occurrences shall happen within our said Islands under your governm^{t} of such a nature and importance as may require our more immediate direction by one of our Principal Secretaries of State, and also upon all occasions and in all affairs whereon you may receive our orders by one of our Principal Secretaries of State, you shall in all such cases, transmit to our said Secretary of State only, an account of all such occurrences and of your proceedings relative to such orders.

N B. A like Instruction mutatis mutandis was sent to the Governors or Commanders in Chief for the time being of

Leeward Islands	Bahama	Virginia	Massachusets Bay
Jamaica	S^{o} Carolina	New York	New Hampshire
Bermuda	N^{o} Carolina	New Jersey	Nova Scotia.

Lords of Trade to the Committee of the Privy Council.

[Plantations General, (B. T.) XLIII., 291.]

To the Right Honourable the Lords of the Committee of His Majesty's most Honourable Privy Council for Plantation Affairs.

My Lords

Pursuant to Your Lordships' order of the twenty first of January last, we have prepared the draughts of Additional Instructions to the Governors of the respective Colonies & Plantations in America, more immediately under His Majesty's government, directing them, jointly with

the Councils and Assemblys, to revise the Laws now in force in each Province or Island, and in lieu thereof to frame and pass a new and well digested body of laws, taking care that a clause be inserted in each law to prevent its taking effect untill His Majesty's pleasure can be known.

But some doubts having been proposed to Us with respect to the Crown's giving instructions to the Governor or Lieutenant Governor of Pênsylvania regulating the manner of passing laws in that Colony, We have thought it necessary to take the opinion of His Majesty's Attorney and Solicitor General thereupon, and as soon as we have their answer we shall make our report to your Lordships.

We have also prepared the draughts of Instructions to the Governors of such of the Proprietary and Charter Governments, as are not required by their Charters to transmit their laws, directing them to transmit a true and authentick copy thereof; in order that they may be laid before His Majesty in his Privy Council.

Which said draughts we beg leave to lay before Your Lordships for Your Lordships' approbation. We are, My Lords,

Your Lordships most obedient
and most humble Servants
DUNK HALIFAX
J. PITT
J. GRENVILLE.
DUPPLIN
F. FANE
CHA^{s} TOWNSHEND
AND: STONE
J. OSWALD.

Whitehall
March 12. 1752.

Instruction for the Revisal of the Laws.

Additional Instructions to our Trusty and Welbeloved Edward Trelawny Esq^{r} our Captain General and Governor in Chief in and over our Island of Jamaica and other the territories thereon in America; or to the Commander in Chief of our said Island for the time being. Given at our Court at S^{t} James's the day of March 1752 in the twenty fifth year of our Reign.

WHEREAS many of the laws heretofore passed in our Colonies and Plantations in America respectively have from time to time, been either entirely or in part repealed, and others of them are expired altered amended or explained, by means whereof persons not well acquainted with the said laws may be led into mistakes, & great prejudice and inconvenience may arise to our service; and whereas nothing can more effectually tend to promote order and good government, secure the properties and possessions of our subjects and prevent litigious controversies and disputes than a clear and well digested body of Laws; It is therefore our Will and Pleasure and you are hereby required and directed, jointly with our Council and Assembly of our Island of Jamaica under your government, forthwith to consider and revise all and every the laws statutes and ordinances which are in force within our said Island, excepting only such as relate to private property, or are otherwise of a private nature; and in

lieu thereof to frame & pass a complete and well digested body of new laws, taking especial care that in the passing of each law, due regard be had to the method and regulations prescribed by our instructions to you, and that no law of any kind whatever, making a part of such new body of laws, be passed without a clause be inserted therein, suspending & deferring the execution thereof untill our royall will & pleasure may be known thereupon. And it is our further Will and Pleasure that when the said new body of Laws shall have been so framed and passed, as aforesaid, you do forthwith transmit each Law seperately, under the Seal of our said Island, together with very particular observations thereupon to our Commissioners for Trade and Plantations, in order to be laid before us in our Privy Council for our approbation or disallowance.

A like Instruction, mutatis mutandis, was sent to,

	Governor of
Hen. Grenville Esq^{rs}	Barbados
Will^{m} Matthew	Leew^{d} Islands
John Tinker	Bahamas
W^{m} Popple	Bermuda
W^{m} Glen	S^{o} Carolina
Gab: Johnston	N^{o} Carolina
Jon^{a} Belcher	New Jersey
Hon. Geo. Clinton	New York [1]
W^{m} Shirley	Massachusets' Bay.
Benning Wentworth	New Hampshire.

Earl of Holdernesse to the Governors in America.

[Plantation General. Papers, XV., O. No. 107.]

Whitehall 30th March 1752

Sir.

I have his Majesty's Commands to transmit to you the Copy of an Order in Council calculated for the future Regulation and Government of His Majesty's American Colonies, and I likewise send you inclosed the copy of a Letter which the King has directed me to write, to the Lords Commissioners for Trade & Plantations, explaining the method in which it is His Majesty's Royal pleasure their Lordships should put in execution the said order of Council & you will accordingly receive an Additional Instruction from the said Lords Commissioners for Trade and Plantations, directing you for the future to address Your Letters to their Lordships only, except in such cases as may require his Majesty's more immediate Directions; and it is the King's pleasure that you should for the future conform Yourself to the said order of Council.

But whereas it may happen that circumstances of a very high & important nature may arise which may require the utmost secrecy, it is the King's pleasure that if any such should occur,

[1] The Instruction to Governor Clinton bears date 16th of April, 1752, and is entered at length in *New-York Council Minutes*, XXIII., 46. — Ed.

within the district of Your Government, you should forthwith with the utmost diligence and exactitude, transmit an account thereof to one of His Majesty's Principal Secretaries of State only; And you are in such case to follow all orders and Directions which His Majesty shall think proper to direct one of His principal Secretaries of State to transmit to you in consequence thereof.

I am, Sir,
Your most obedient
humble Servant
HOLDERNESSE [1]

Governor of Pensilvania.

Order in Council respecting the appointment to Offices in the Colonies.

[Plantations General. Papers, XV., O. No. 107.]

At the Court at St. James's the 11th day of March 1752

PRESENT— The KING'S MOST EXCELLENT MAJESTY

L^d President	E^l of Jersey	M^r S^t Chamberlain
L^d Privy Seal	E^l of Cholmondeley	M^r Ch^r of the Exchequ^er
L^d Chamberlain	E^l of Buckinghamsh^re	L^d Ch. Justice Willes
Duke of Athol	E^l of Harcourt	S^r John Rushout
Duke of Newcastle	L^d Berkeley of Stratten	S^r John Ligonier
E^l of Holdernesse	L^d Cornwallis	S^r George Lee

His Majesty having taken into his Consideration the flourishing State and Condition of the Manufactures, Trade and commerce of these Kingdoms, and also the State and condition of

[1] ROBERT D'ARCY, the fourth and last Earl of Holdernesse, succeeded to his father's title on the 20th of January, 1721. N. S., and was constituted Lord Lieutenant of the North Riding of Yorkshire in Nov., 1740. In April, 1741, he was appointed one of the Lords of his Majesty's bedchamber, and in 1743, was present with George I. at the battle of Dittengen. In 1744, he was appointed Ambassador Extraordinary to the Republic of Venice, where he resided two years. He was sent Minister Plenipotentiary to the States General in 1749, and remained in Holland until May, 1751. The Ministry having broken up in the following month, "Impresario Holderness," as Walpole calls him, succeeded the Duke of Bedford as Secretary of State, on which occasion the following epigram was put in circulation:

"That secrecy will now prevail
In politics is certain;
Since Holderness, who gets the Seals,
Was bred behind the curtain."

He owed his advancement to the Secretaryship to the circumstance of being one of the King's favorites. (*Waldegrave Mem.*) In October, of the same year, he was sent to the Hague with letters of condolence on the decease of the Stadtholder, and in March, 1752, was appointed one of the Lords Justices to administer the government during the King's absence. When a change of Ministry was agitated in 1757, the Earl of Holdernesse suddenly resigned his office, but in less than a fortnight was glad to get back. *Walpole.* In March, 1761, the King (says Walpole) being tired of two secretaries, of which one would do nothing and t'other could do nothing, the Earl of Holdernesse's resignation was purchased by a pension of £4000 a year, with the reversion of the Cinque ports for life, and he was succeeded by the Earl of Bute. In the year 1743, he married at the Hague, Mary Doublet, the daughter of a Dutch Nobleman, by whom he had two sons and one daughter, Lady Amelia D'Arcy, who married in 1773, Francis Godolphin, Marquis of Carmarthen, afterwards Duke of Leeds, from whom she eloped with captain John Byron, father of Lord Byron the celebrated poet. The Earl of Holdernesse was a very courtly peer, proud of his rank, formal, but of no superior talent. He died in the year 1778, when the title became extinct. — ED.

his Colonies and Plantations in America and elsewhere, with respect as well to their trade and commerce as to their civil policy and government, and whereas it doth appear to his Majesty that the said Colonies and Plantations have of late years been greatly improved, the wealth of his Subjects much increased, and the Navigation of these Kingdoms extended, by the mutual Intercourse between them and the said Colonies & Plantations, and by the Trade and Commerce arising therefrom; and his Majesty being sensible of how great Importance it is to His Crown, and Government, and how much it will contribute to the Satisfaction, Convenience and Advantage of his Subjects, that all due care be taken and proper and necessary Regulations made for the further Improvement and Extension of the Manufactures and Commerce of these Kingdoms, and for the encouragement, protection and Security of the Said Colonies and Plantations, His Majesty is therefore graciously pleased with the advice of his Privy Council, to order, and it is hereby ordered, that the Lords Commissioners for Trade and Plantations do, with all diligence, care and concern, apply themselves to a faithfull and vigourous execution and discharge of all the Trusts and powers vested in them by their Commission under the great Seal, and whereas nothing can more effectually tend to the peace, welfare and good government of the said Colonies and Plantations than the appointment of able discreet and prudent persons to be Governors, Lieutenant Governors & other Officers & Magistrates: It is therefore hereby further ordered that the said Lords Commissioners for Trade & Plantations do from time to time as Vacancies shall happen by deaths or removals, present unto his Majesty in Council, for his Approbation, the name or names of such person or persons as the said Commissioners from the best of their judgement and Information shall think duly qualified to be Governors or Deputy Governors, or to be of His Majesty's Council, or his Council at Law, or Secretaries in the respective plantations; and likewise to present to his Majesty for his approbation, the names of all other Officers which have been, or may be, found necessary for the Administration of Justice, and the Execution of Government there, excepting only such as are, or may be, appointed for the Direction and Regulation of his Majesty's Customs and Revenues and such as are, or may be, under the Directions and Authority of the Lords Comm^{rs} of the Admiralty; and when any person or persons shall have been approved by His Majesty in Council for any of the above mentioned Offices the said Lords Commissioners shall (unless his Maj^{ty} shall otherwise direct) prepare and make out proper Draughts of such Commissions, Warrants or Instructions as may be thought necessary to be given to such Officers, in order to be laid before his Majesty in Council for his Royal Approbation, and when any person or persons shall be presented to his Majesty for any of the other offices of an inferior nature not judged necessary to be laid before His Majesty in Council, and yet shall have otherwise received his Majts approbation the said Lords Commissioners shall in those cases (unless His Majesty shall otherwise Direct) prepare and make out proper Draughts of Commissions and Warrants necessary to be given to such Officers, in order to be laid before his Majesty for his Royal approbation accordingly, and it is hereby further ordered that the said Lords Comm^{rs} for Trade & Plantations, do execute and perform all other things necessary or proper for answering the Intention of their said Commission, and whereas the Governors of all his Majesty's Colonies & Plantations in America more immediately under His Ma$^{ty's}$ Government, are, in particular cases, as well as in general, directed by his Majesty's Instructions to transmit unto his Majesty, by one of His principal Secretaries of State, and to the Commissioners for Trade & Plantations, accounts, from time to time, of all their proceedings, and of the condition of affairs within their respective Governments, and whereas it will tend to the benefit of the said Colonies, the ease

and convenience of His Ma^{jts} Subjects, and the greater regularity and dispatch of Business, if the correspondence be confined to, and pass through, but one channel; It is therefore further Ordered that the said Lords Commiss^{rs} do prepare the Draught of an Additional Instruction to be sent to the Governors of all his Majesty's said Colonies and Plantations respectively signifying His Majesty's pleasure that in all cases wherein by His Majesty's Instructions they are directed to transmit any particular, or general accounts of their Proceedings, or of matters relative to their Governments, they do, for the future, transmit the same to the Lords Comm^{rs} for Trade & Plantations only, in order that they may be laid before His Majesty, provided nevertheless that whenever any occurrences shall happen within their respective Governments, of such a nature and Importance as may require his Majesty's more immediate Directions by one of His principal Secretaries of State, and also upon all occasions, and in all affairs, whereon they may receive his Majesty's orders, by one of his principal Secretaries of State, the said Governors shall in all such cases, transmit to the Secretary of State only, an account of such occurrencys, and of their proceedings relative to such orders, and it is hereby further ordered that a Copy of this order be transmitted to the said Lords Commissioners for Trade & Plantations, to be entered upon the Books of the Plantation Office, and that the said Commissioners do likewise transmit copies thereof to the Governors of His Majesty's Colonies and Plantations respectively to the End that all persons concerned may govern themselves accordingly.

W. Sharpe.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle Ii., No. 25.]

New York, 8. April 1752.

My Lords,

I have by several letters informed the Duke of Bedford of the absolute necessity, and my intention to suspend Mr Delancey from being Lieut^{t} Govern^{r}, before I left this Govern^{t}, with my reasons, for so doing; his arbitrary conduct confirms my intention more and more every day, and I must beg leave to acquaint your Lord^{pps}, that I am fully determined to suspend him from that Office before I leave the Prov^{ce}

I am persuaded, that it would be greatly for His Maj$^{ty's}$ service, that a letter may be wrott, to M^{r} Colden, president of the Council approving of his taking the Administration upon him (pursuant to the powers in his Maj^{tys} Commission to me) until his Royal pleasure, shall be further known, which I am certain will remove any difficulties or obstructions, that may arise from the Faction in direct opposition to the King's Authority, could such a letter be sent by the very first opportunity.

I have called the Assembly of this Province, that it may be in my power, or my successor in the Administration to meet them in case of emergency, requiring the Assistance of the Assembly; but as nothing of this kind has appeared, I have no thoughts of meeting them before my departure.

The support for the Gov^{r} as Commander in Chief (as granted by the last sessions) ceases the moment I leave the Province, as does the salary of the other Officers the first of September

next. This will make it necessary to meet the Assembly at, or before that time, and if it was possible such a letter as I request come to the President's hands before that time, it will facilitate His Majᵗʸ's service, and effectually prevent any artifices, which I am certain the Faction will stir up to distress the Administration.

Mr Colden is willing to undergo the difficulty and hardships that the want of a support may lay him under, that I may be enabled to pursue those measures which I have repeatedly represented to the Ministry so absolutely necessary to maintain His Majestys prerogative and Authority so notoriously struck at, by the Faction in this Governᵗ, and which I can not otherwise pursue but act in contradiction to my own judgement in this case; he therefore hopes your Lordᵖᵖˢ will ease him of those difficulties as soon as possible, and I must entreat your doing it, as it may be of importance to his Majesty's service.

I have the honour to be with great respect

My Lords,

Your Lordᵖᵖˢ most obedient and
very humble servant
G. Clinton.

Lords of Trade to the Governors of Colonies.

[Plantation General, (B. T.) XLIII., 318.]

To Henry Grenville Esq. His Majesty's Governor of Barbados.

Sir

Having taken into our consideration the General Instructions given by His Majesty to his Governors of the several Colonies and Plantations in America, we observed with concern that the experience of late years furnishes too frequent instances in which many of those Instructions have been dispensed with and neglected, upon slight & unwarrantable pretences. As the Instructions are calculated in general for the support of His Majesty's Prerogative and the protection of his subjects in their just rights, for the establishing and preserving good government in his Colonies, and promoting the welfare quiet and prosperity of them; a due and uniform observance of those Instructions must greatly contribute to so desirable ends. We therefore think it our duty to recommend it to you and to all the Governors of His Majestys Colonies and Plantations strictly to adhere to your instructions and not to deviate from them in any point, but upon evident necessity, justified by the particular circumstances of the case; and whenever that happens you are forthwith to transmit to us, in the fullest and most explicit manner, your reasons for such deviation. But at the same time we must acquaint you, it is expected that you do apply for previous directions from hence in all cases where the occasion will admit of such a delay.

The passing of laws in a method inconsistent with His Majesty's Instructions (which has been too often practised) is manifestly of great detriment to the publick service and the occasion of many difficulties; in as much as those laws, though they contain the most salutary provisions, cannot receive the Royall approbation, but by His Majesty's dispensing with his Instructions.

We must therefore in a particular manner insist, that in the passing of all laws, you have a proper regard to the regulations contained in your Instructions.

And whereas some particular parts of the Instructions given by His Majesty to his Governors, may from the alteration of circumstances, have become obsolete useless or improper; we desire that you will without delay consider and revise with the strictest attention the Instructions given you, as well the General ones, as those which relate to the Acts of Trade and Navigation, and transmit to us your opinion of such parts of them as shall appear to you useless, improper, or liable to objection, together with your reasons for such opinion, that we may take those reasons into consideration, and propose to His Majesty such alterations as shall, upon mature deliberation, appear to be proper & expedient.

So we bid you heartily farewell, and are

Your very loving friends
and humble Servants
DUNK HALIFAX
J. GRENVILLE
DUPPLIN
FRAN. FANE.

Whitehall
June 3d 1752

A like letter was wrote to

	Governors or Lieut. Governors of
Chas Knowles Esqr	Jamaica.
Wm Matthew Esqr	Leewd Islands.
Wm Popple Esq	Bermuda.
John Tinker Esq	Bahamas.
Spencer Phips Esq	Massachusets.
Benj. Wentworth Esq	New Hampshire
Geo Clinton Esq	New York
Johs Belcher Esq	New Jersey
Rob: Dinwiddie Esq	Virginia
Gab. Johnston Esq	No Carolina
Jas Glen Esq	So Carolina
Pereg: Thos Hopson Esq	Nova Scotia.

Lords of Trade to Governor Clinton.

[New-York Entries, O., p. 16.]

To the Honble George Clinton Esq: Governor of New York.

Sir,

We have received your letter to Us dated the 8 of April last, and We cannot but be apprehensive that your leaving Your Government may in the present situation of its affairs be attended with very ill consequences, and be of great prejudice to His Majesty's Service, We

take the earliest opportunity of acquainting you with Our Sentiments and that We think it would be highly improper for you to take such a measure, until you have received His Majesty's further directions what Method of Administration of Government shall take place upon your leaving the Province

So We bid you heartily farewell and are

Your very loving Friends
and humble Servants
Dunk Halifax
J. Grenville
Dupplin[1]
Fran: Fane
Whitehall — Cha[s] Townshend
June 16. 1752. — James Oswald

Governor Clinton to the Lords of Trade.

[New-York Bundle, II., No. 34.]

My Lords,

In obedience to His Maj[tys] pleasure, signified to me by a letter from Lord Holdernesse of 30[th] April last, I now remain in my Govern[t], tho' in pursuance of His Maj[tys] leave of absence, I had (at the time I received his Lord[pps] letter) all my baggage and necessaries for my voyage on board the Ship; I had sold my household furniture, and was ready to go on Board. The inconveniences which must thereby arise to me and my family are but inconsiderable in comparison of the danger I expect from the next winter season to my life, and my bad state of health, having been for these four years past, every winter confined close to my Room, at least five Months under the great uneasiness, and am now in the greatest apprehensions of the approaching season. This, together with the State of my private affairs in England, obliged me to apply for His Maj[tys] leave of absence, which he was graciously pleased to grant me.

If I had been sensible of any error in my conduct, I must think, my remaining in this Country, under such great inconveniences, and danger of my life, a severe punishment; but when I reflect on the reasons given in the Secretary of State's letter, for revoking the leave of absence, I must deem myself unhappy, viz[t] "that my leaving my Govern[t] would certainly "be attended with bad consequences and possibly even the means of disturbing the "peace and Tranquility of the Colony"—This can have proceeded only from the gross misrepresentations of my Enemies (and no Gov[r] who has continued so long in America, as I

[1] Thomas Hay, Lord Viscount Dupplin, eldest son of George Henry, 7th Earl of Kinnoul, of Scotland, and 1st Baron Hay of England, was born 4th July, 1710. He was appointed, in 1741, one of the Commissioners of the Revenue, in Ireland; and in November, 1746, a Commissioner of Trade and Plantations, which office he held until 1754, when he became one of the Lords of the Treasury; in 1755 he was appointed Joint Paymaster, with Lord Darlington. In 1757, he was offered the office of Chancellor of the Exchequer, which he declined. Lord Dupplin represented the town of Cambridge, in several parliaments; and in June, 1758, succeeded to his father's title. His Lordship, who was brother to the Archbishop of York, died without issue, on the 28th of December, 1787. — Ed.

have done, ever avoided creating Enemies) that I placed my confidence in a person, and designed to leave the Administration in his hands, who is of so bad a character, and so obnoxious to the people, that they could not, with patience, have bore his being placed over them. This is of a piece with the other calumnies industriously insinuated to his Majᵗʸˢ Ministers, in such general forms, that no direct answer can be given to them but a bare negative. Had any particular instances been given of this Persons misconduct, the truth of the charge against me, in placing any trust or confidence in him, could have been cleared up, but as it at present stands, I can only aver, that this Gentleman has as fair a character as any other person in the Province. Could my Enemies have alleged any particular facts to his prejudice, it can not be doubted, that they gladly would have done it, and as no such Facts (to my knowledge) are alledged, it must be thought to proceed from their inability to set forth such facts, not to their want of inclination to do it. But as to that particular of the danger of the peace of the Province, in case of his having the administration, I can now, I think give a full answer. It has been publickly known in every part of the province for several months past, that I designed to leave the Administration in the hands of the President of the Council, and has it been the subject of discourse every where. Nothing like dissatisfaction thereon has appeared, but the contrary, and this is so notorious, that I think none can have the assurance to say otherwise in this Country, whatever they may dare to say at a distance. It is true that I pressed to have the doing this previously approved of by His Majᵗʸ as a matter, that I thought, would be highly for His Majesty's service in this Province, as it would effectually defeat all the artifices of the Faction who, I suspected may still have an influence over some leading Men in the Assembly, and who, thereby, might lay the Administration under difficulties, which perhaps I could not foresee or guard against; I had nothing more in view in my letters which I wrote to your Lordᵖᵖˢ or the Secretary of State, and if any opinion has been drawn from them, of any danger of the peace of the province, in my absence, I have been much misaprehended.

My Lords, I am still of opinion, that it is of the greatest consequence to His Majᵗʸˢ service in America, at so great a distance from the immediate inspection of his Ministers, for the security and peace of the Colonies, for securing the British Trade in the Colonies, and for preventing its being carried into Holland and other foreign Ports, to discourage as much as possible any attempt of an ambitious or Bold person to make himself, by popular artifices, necessary to the Administration, when he thinks himself thereby, able to obstruct any measure however useful or necessary, unless he be taken into the Administration, on what terms he shall in an insolent manner think proper to prescribe; I have, as I thought it my duty, endeavoured to crush such insolent attempts, and I humbly presume that I should have done it effectually, had I received that assistance, which, with submission I conceived I had reason to expect. The preventing of such like daring and insolent attempts appear to me, to be of such consequence to the Royal authority, the ease of every Govʳ for the future and for preserving the peace of the Province, that I am persuaded it will deserve your Lordᵖᵖˢ most serious attention; and I humbly hope, that notwitstanding of any misrepresentations or misapprehensions, I shall at last receive His Majᵗʸˢ approbation of my conduct on this head, and in hopes of this I shall bear, with patience, the unusual hardships and difficulties which I am laid under. I have the honour to be with the greatest respect

My Lords. Your Lordᵖᵖˢ ettc.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle II., No. 83.]

New York 4. October 1752.

My Lords,

I have the honour of your Lord^{pps} commands of the 3rd June last, and I shall, so far as in my power punctually obey them. But I must beg leave to observe to your Lord^{pps}, that I have yearly, for this five years past, humbly represented to your Lord^{pps} and to the Secretary of State, the incroachments which the Assemblys of this province have made on the Royal prerogative, and of their persisting in their disregard of the King's instructions; by which means I am disabled to observe them, without having received any directions on the repeated representations, which I have made on the following heads.

By his Maj$^{ty's}$ Commission, as well as Instructions to his Governours of this province, all publick money is to be issued by warrant from the Gov^{r}, with the advice and consent of the Council. By every Act granting money to the King, for several years past, great part of the money is issued without such warrant, and sometimes by warrant of the Speaker of the Assembly only.

By this means the Assembly or rather a Faction in that house, have it in their power to reward those who support these incroachments on the King's prerogative; His Maj$^{ty's}$ servants are discouraged by their having their Salaries curtailed, and the payment of the money, which they have advanced for His Maj$^{ty's}$ service refused, without assigning any reason for such refusal. (see Coll: Johnson's case). At the same time the tools of the Faction, have large sums allowed them, and these allowances made without suffering either the Gov^{r} or the Council to examine into the accounts of these pretended services, on which the money is to be issued. (for proof of this see the minutes of Assemb^{y} of the 18. day of November, and the address of the Assembly near the close of last sessions, and the Councills address in answer to it).

The Assembly allows nothing of late for the contingent services of the Govern^{t}, by which the service frequently suffers, while at the same time the Treasurer has been known to advance large sums to the speaker, and a few of the Members, without the concurrence of either Gov^{r} or Council; and this he will always do, while he looks on himself not as the King's Officer but the Assembly's. This has been the case ever since the year 1715. when they had the appointment for a Treasurer allowed them, notwithstanding that the King had a receiver General of his Revenues in this province by appointment under the great Seal of Great Brittain, with a Salary for that purpose; since this concession, they have continually incroached, more and more, on the Kings prerogative, and continually assumed more and more power to themselves.

The Assembly take upon themselves the sole power of rewarding all services, and of appointing salaries, and they will not allow the Council to alter or amend such allowances or salaries, under pretence of their being part of money Bills, (see the Acts for support of Govern^{t} and for payment of the salaries and contingent charges of Govern^{t}). by reason whereof they gain an undue influence over all the officers, and weaken the authority of the Gov^{r} and Council over them. And as the Salaries are only appointed for one year, and to cease at the death or removal of every officer, they, thereby likewise, gain an undue influence in the Nomination to all offices, so that no man is willing to accept of an office, who is unwilling to court and depend

on the favour of a Faction in the Assembly, however he be otherwise qualified and zealous in the King's service.

Tho' the Assembly dare not deny the King's authority over the Militia, yet an opinion is inculcated among the people, that the powers of the militia can only be put in execution by authority of the assembly, so far, that no penalty can be incurred by disobedience without an act of Assembly for that purpose. Acts in former times were annually passed to lay penalties in certain cases, till within this four years; since which time no Militia Bill has been brought in, tho often pressed by me; a general disobedience has since that time ensued, and all appearances of a Militia ceased. Your Lord^{pps} no doubt will consider, how far it is proper to suffer the Kings power over the Militia, to depend on the pleasure of an Assembly.

The Assembly put the publick gunpowder into an officers hands, of their own nomination, without the Gov^{r} having it in his power to command the least part of it on any emergency whatsoever, except in case of an actual invasion. Since the peace, all the publick gunpowder has been sold, so that now this Govern^{t} has not one pound of publick gunpowder on any emergency, and tho' I laid his Maj^{tys} instruction for a continual supply of the publick Magazines with Gunpowder, they would pay no regard to that instruction.

They keep up, a perpetual distinction, between the Kings money and the Colonies money, between the King's warlike stores, and the Colonies, and between the Kings Officers and the Colonies officers; your Lord^{pps} will consider how far such distinction is to be allowed.

It is needless for me to observe to your Lord^{pps}, what must be the consequences of these incroachments, and to which state the executive powers of Govern^{t} are reduced. I have again and again pressed the observance of the directions of the King's commission and instructions in the passing of Laws. I have refused for some time, my own support, unless it were granted conformable to his Maj^{tys} instructions, but all to no purpose, the Assembly persisted in their refusal of any support, otherwise than upon their own terms. It had no other effect, than still further to distress the Administration, and to raise popular clamours, of a neglect of the publick service, which they said thereby issued. I am persuaded it is not in the power of any Gov^{r}, as things now stand, to put a stop to these perpetual graspings in Assemblys after more power; the remedy must come from a more powerful authority than any in America.

But as the Faction in this province consists chiefly in Merchants, and would subside if it were not supported by them, it is necessary on this occasion, to inform your Lord^{pps}, with the state of Trade in this Province, and of the entire disregard of the Laws of Trade. While the Assembly is directed by Merchants, who find their private advantage in the breach of these Laws, they must of consequence do all they can to weaken the Administration, by which these Laws are to be put in execution, and what can be more effectual, than to make the Officers sensible, that the only way for them to prosper, or to be rewarded, is by a neglect in their duty, and that they must suffer by a performance of it. These attempts extend from a Judge to a Constable, and from a Gov^{r} to a Tide waiter. It is not easy to imagine, to what an enormous hight this transgression of the Laws of Trade goes in North America; if the exportation of Tea at this time be compared whith what it was some years since, from the Books of the Custom house in London; what I say will in a great measure become evident. The consu[m]ption of Tea in the Northern Colonies increases to a great degree yearly, yet it will be found that the exportations from London decrease of late. It is not easy to concieve the great consumption of gunpowder in the populous Northern Colonies, where every Man is in the daily use of fire arms, and yet it will be found, that the exportation of gunpowder from Great Brittain, cannot to any degree answer such an expence.

I mention these two articles, because they may be easily inquired into, but they are far from comprehending the whole of this illicit Trade. Perhaps it may be found that Holland and Hamburgh receive more benefit from the Trade to the Northern Colonies, than Great Brittain does after the expence that Great Brittain is at when their support is deducted.

Your Lord^{pps} may conceive, how little it is in the power of a Governour, to prevent this illicit Trade, when few in the Province are willing to assist him so much as in giving your Lord^{pps} proper information, from the fears they are under of the resentment of a powerful Faction in the Govern^{t}, and when they find so little care taken to protect or reward such as have distinguished themselves in support of His Maj$^{ty's}$ authority. What I now represent deserves your Lord^{pps} attention, or in a little time none will expose themselves to such resentment.—

It may deserve your Lord^{pps} consideration, how far any Law in the Plantations can be in force, which is contrary to or inconsistent with the direction of His Majesty's Commission, by the authority of which all Laws are made in the Govern^{ts}, immediately subject to the Crown.

I have at this time transgressed much on Your Lord^{pps} patience, in repeating what I formerly represented, which from Your Lord^{pps} letter seemed to me necessary to be done. The last paragraph must require time and much consideration to put my thoughts in writing; I shall endeavour to obey your commands as soon as the publick affairs with the Assembly shall be over, who are to meet the 23. inst:

I am with the greatest respect
My Lords,
Your Lord^{pps} most obedient and
humble servant.
G. Clinton.

Governor Clinton to the Lords of Trade.

[New-York Papers, Bundle II., No. 89.]

New York 24. October 1752.

My Lords,

As a place in the Council of this Province of New York is become vacant by the death of Sir Peter Warren to which place I beg leave to recommend William Smith Esq^{re} to Your Lord^{pps}.

M^{r} Smith is a Gentleman of University education and who has practiced the Law here near thirty years with great reputation and the only Lawyer that would or did consent to prosecute M^{r} Oliver Delancey, brother of the chief Justice here for his enormous scurillity against me ab^{t} three years ago with which I acquainted your Lord^{pps} and now take this opportunity of transmitting a copy of the information against him.

Upon the death of the late Attorney General here I appointed M^{r} Smith in his place being convinced he was by far the most fit and able person in this province to fill that place, and heartily recommended him for his Maj$^{ty's}$ approbation to it but it seems the place was pre-engaged to a Gent^{n} in England,[1] by which M^{r} Smith to my great concern is like to be

[1] William Kempe, Esq., was appointed Attorney-General in England on the 21st November, 1751. *Commissions*, 31. He arrived in New York with his family on the 4th November, 1752. *New-York Gazette.*

disappointed of that place, tho' he has executed it ever since my appointment with great honour and reputation without any salary.

I am just come from meeting the Assembly of this Province, and making them my speech which I do myself the honour to inclose and am with great respect,

My Lords,

Your Lord^{pps} most obedient
and most humble servant,
G. Clinton.

Memorial of the Hon. Lewis Morris to the Lords of Trade.

[New-York Papers, Bundle II., No. 45.]

To the Right Honourable the Lords Commiss^{rs} for Trade and Plantations.

The memorial of Lewis Morris Esq: of the Prov^{ce} of New York in America.

Sheweth.

That the Assemblys of the Province of New York, during the Administrations of Gov^{r} Hunter, and Gov^{r} Burnet, made frequent attempts to get into their own hands the disposition of the publick money, and the appointment of the Salarys to be paid to the several Officers of the Govern^{t}; but those Gov^{rs} steadily opposed their several attempts.

That in the year 1729. soon after the Administration of the Govern^{t} came into the hands of M^{r} Montgomerie, the assembly resumed their attempt, and having some private assurances from the Gov^{r}, that he would comply with their Resolves for that purpose, they took upon themselves by vote of their own house, to ascertain the salaries of all the officers of the Govern^{t}, giving to some more, to others less, than had (for a long time before) been agreed upon and allowed by the Gov^{r} and Council.

That your Memorialist being then of his Maj^{tys} Council for the said province, and thinking the Assemblys attempt to dispose of the publick money a dangerous attack upon the prerogative of the Crown, and destructive of their just dependance, opposed the same to the utmost of his power, and not only used many arguments with the Gov^{r}, but protested in Council against complying with the Assembly's resolves; and therein shewed, that yeilding up to them that Point, was contrary to his Majestys Patent and Instructions, and in effect giving up the whole Govern^{t} into their hands. Notwithstanding which the said Gov^{r} complyed with the resolves of the Assembly, by drawing the Salary warrants agreable thereto, suspended your Memorialist from his seat in the said Council, and by a partial Representation of the Matter to Your Lord^{pps} Board, had the suspension confirmed, and Phillip van Courtland Esq^{r}, a Man more inclinable to give up the Rights of the Crown appointed in his stead.

Your Memorialist begs leave to observe to your Lord^{pps}, that the giving up that point by the Removal of Your Memorialist, has been the cause of most of the disputes that have since happened in that Province, and of the present weakness of His Maj^{tys} Govern^{t} here; the Assemblys having, from that time disposed of all publick money without controul, and altered

or taken away the officer's salaries, as they thought fit, and thereby rendered them entirely dependant on themselves.

Your Memorialist need not point out to Your Lord^{pps} the dangerous tendency of such a power in the hands of an Assembly, the ill uses they have already made of it, or how inconsistent the same is with his Maj^{tys} Patent and Instructions and the Just dependance of that Province on the Crown. But:

Humbly prays that as he was removed from the said Council for no other reason, than acting according to the best of his judgement in support of the prerogative of the Crown, against the unconstitutional Incroachments of an Assembly; that he may now be restored to his Rank in the said Council, there being a vacancy made by the death of Sir Peter Warren.

LEWIS MORRIS
by ROB^{t} H: MORRIS.

New York 1752.

Lords of Trade to the Lords Justices.

[New-York Entries, O., p. 18.]

To their Excellencies the Lords Justices

May it please Your Excellencies

We have had under Our Consideration the annexed Memorial presented unto Us on the behalf of M^{r} Peter Wraxall of the Province of New York in America, complaining that the Hon^{ble} George Clinton Esquire His Majesty's Governor there, has refused to admit him to the Office of Town Clerk, Clerk of the Peace and Clerk of the Common Please in the County and City of Albany in the said Province to which he was appointed by his Majesty's Commission bearing date the 15 Nov^{r} 1750 and having been attended by M^{r} Calcraft agent for the Memorialist, and by M^{r} Catherwood Agent for M^{r} Clinton, and heard what they had to offer in behalf of their respective Constituents: We beg leave humbly to represent to your Excellencies.

That it does appear to Us upon the papers laid before us by M^{r} Calcraft in support of the Allegations of the said Memorial, that his Majesty did by a Commission bearing date the 29 of February 172$\frac{7}{8}$ appoint Philip Livingston Esquire to be Town Clerk, Clerk of the Peace and Clerk of the Common Pleas in the County and City of Albany in the Province of New York and to be Secretary or Agent for the Government of New York to the Indians; His Majesty's Subjects in those Parts during His Majesty's Pleasure; That upon the death of the said Philip Livingston Which M^{r} Wraxall alledges to have happened on the 21st of August 1750, M^{r} Clinton did without His Majesty's consent or directions therein grant a Patent under the Seal of New York bearing date the 25 of Sept^{r} 1750, to M^{r} Harme Gansevoert appointing him Town Clerk, Clerk of the Peace and Clerk of the Common Pleas for the County and City of Albany in the said Province during good behaviour That upon M^{r} Wraxalls application to his Majesty's said Governor immediately after his arrival in New York, to be admitted to the said Office to which he had been appointed by His Majesty's Commission, the Governor acquainted him that the same was in possession of another person under a Commission from him and refered him to the Decision of the Law.

In answer to these facts and allegations it is admitted by Mr Catherwood that the Governor did upon the death of Mr Livingston appoint Mr Harme Gansevoert to the Office of Town Clerk, Clerk of the Peace and Clerk of the Common Pleas in the County and City of Albany in the Province of New York, which he said he apprehended he had a right to do by his Commission and Instructions. At the same time Mr Catherwood laid before us the copy of a letter from Mr Wraxall to Mr Clinton with a copy of Mr Clintons answer thereunto which we have likewise annexed; And as Mr Clinton in his letter to Mr Wraxall mentions that he had pursuant to the Charter of the City of Albany, granted his Majesty's Letters Patents under the Seal of that Province for those Offices to Mr Gansevoert at Albany We have likewise hereunto annexed a copy of those clauses in the said Charter, which relate to this point and which were transmitted to us by Mr Wraxall from which it will appear to your Excellency's that the appointment of the Town Clerk is reserved to the Governor only in defect of an appointment by the Crown.

Several other Facts have been laid before us relative to the manner in which this transaction has been carried on but we have not taken Notice of them to your Excellencies because the evidence upon which they are founded is not attended with all that Authenticity which we require in matters of this nature and Mr Clinton has not been heard upon those particulars

Upon the whole however we are of opinion that Mr Clinton by taking upon him to grant a Commission under the Seal of New York for the holding the said Office of Town Clerk, Clerk of the Peace, and Clerk of the Common Pleas in the County and City of Albany during good behaviour which before had always been held under immediate Commission from the Crown during pleasure and the appointment to which by the Charter of Albany reserved to the Governor only in failure of an appointment by the Crown, and by refusing to admit the person appointed by his Majesty's Commission to the Exercise of that Office has exceeded his Authority and Acted in a manner inconsistent with his duty to the Crown. We would therefore humbly submit to your Excellencies whether it will not be adviseable that in support of his Majesty's Authority and in Justice to Mr Wraxall, His Majesty's disapprobation of Mr Clintons conduct in this affair should be signified to him and that he should be directed forthwith to revoke the said Commission granted by him to Mr Gansevoerth for the Office of Town Clerk, Clerk of the Peace and Clerk of the Common Pleas for the County and City of Albany and to put the said Peter Wraxall into the full enjoyment and possession thereof Conformable to the Terms and Directions of His Majesty's Commission And if Mr Clinton should continue disobedient to His Majesty's Commands We humbly apprehend that it may become necessary that orders should be sent to His Majesty's Attorney General of the Province of New York to take proper methods for setting a side the Commission granted to Mr Gansevoert by due course of law.

All which is most humbly Submitted

Dunk Halifax
Dupplin
Fran: Fane

Whitehall
Nov: 7. 1752.

Lords of Trade to Governor Clinton.

[New-York Entries, O., p. 25.]

To the Hon^ble^ George Clinton Esq: Governor of New York.

Sir

Herewith inclosed, We send You the Copy of a letter which has been delivered to Us by Your Agent M^r^ Catherwood as a letter from you and altho' as it is not signed, We are hardly justified by Rule of Office in taking any notice of it Yet as it is of so extraordinary a Tenor, We thought it Our duty not to delay giving you shortly Our sentiments upon it; tho' we are concerned for the inconveniences which have arisen from your receiving His Majesty's orders to remain in your Government at the time you was upon the point of leaving it, and for the danger to which you say your health may be exposed the next Winter Season, yet considerations of a private nature must give way to measures that are thought necessary for the publick good All his Maj^ty's^ measures are founded in a due attention to the peace and Welfare of his subjects and nothing can be more unbecoming Your Character than to suggest as you do in your letter, that those which regard so important a Province as that under your Government have proceeded from the Calumnies and Misrepresentations of your enemies No complaint of M^r^ Coldens conduct has been made to Us, nor has his Character been drawn into question, and yet it may be improper all circumstances considered that the Administration of Government in your Province should at this time devolve upon him; for notwithstanding what you say that no dissatisfaction did appear upon it being known that you intended to put the Government into his hands yet it cannot be supposed that the Party which you have often suggested to have so strenuously opposed and defeated your measures would more quietly submit to and acquiesce in the Government of one invested only with a temporary Authority especially as the person whom you represent to be the head of that party must be set aside to make way for him It is to be apprehended that such a Measure must rather inflame than quiet the opposition you say you have met with and instead of restoring the Authority of the Crown would in all probability lay the Foundation of further encroachments and introduce still greater confusion; for these reasons we must adhere to Our opinion that it is necessary for his Majesty's Service, that you should remain in the Province untill his Majesty shall have appointed some person from hence to take upon him the Government. So we bid you heartily farewell and are

Your very loving friends
and humble Servants
DUNK HALIFAX
DUPPLIN
JAMES OSWALD

Whitehall
Nov: 29. 1752.

Lords of Trade to Secretary Fox.

[New-York Entries, O., p. 80.]

To the Right Hon^ble Henry Fox Esq^re His Majesty's Secretary at War.

Sir

M^r John Catherwood Secretary to the Hon^ble George Clinton Esq: His Majesty's Governor of New York, having lately presented to us a memorial on behalf of the said Governor, relating to a Meeting and Desertion of the Governor of Oswego in that Province which happen'd in January last, and representing the impossibility of M^r Clintons bringing to Justice the Ringleaders and offenders whom he has in Custody for want of a field Officer to preside and a sufficient number of other officers to form a generall Court Marshall and setting forth that having in pursuance of the said Governors orders laid this affair before you together with the proceedings of a Court of enquiry held thereupon, You had referr'd him to Us; We have taken the said Memorial into our immediate Consideration and it appears to us to be of the utmost importance to His Majesty's Service and to the Security of the said Province that the persons concern'd in this mutiny should be brought to Justice as speedily as possible And as a means to obviate the difficulty under which M^r Clinton labours it has occurred to us that M^r Clinton may be directed to send the Ringleaders and other offenders whom he hath in custody together with such persons whose evidence may be necessary in the tryal to Halifax in Nova Scotia where there are field Officers and a sufficient number of other Officers to try them according to the Articles of War for punishing mutiny and desertion. And that such orders as you shall think necessary may be also sent to Col: Hopson His Majesty's Gov: of Nova Scotia to the end that the said Prisoners may be brought to a legal tryal as soon as may be after their arrival at Halifax. We therefore beg leave to inclose to you a copy of the said Memorial and of the proceedings of the Court of enquiry and desire you will lay the same before the King for his Majesty's directions thereupon to the end that the means we have suggested for bringing the said mutineers to Justice or such other as may appear to His Majesty to be more adviseable may be carried into Execution. We are

Sir

Your most Obed^t humble Servants

DUNK HALIFAX
T. GRENVILLE
JAMES OSWALD
FRAN: FANE

Whitehall
Jan: 11. 1753

Secretary Fox to the Lords of Trade.

[New-York Papers, Bundle II., No. 47.]

War Office. 3. Feb^ry 1753.

My Lords,

Upon being honoured with your Lord^pps letter of the 11^th of last month inclosing a copy of M^r Catherwood's Memorial in behalf of Gov^r Clinton, and the proceedings of the Court

of Enquiry, relating to a Mutiny and desertion in and from the Garrison of Oswego in the province of New York, with your desire that the Mutiniers and other offenders, with such persons whose evidence might be necessary on the Tryal, should be sent to Halifax in Nova Scotia; and doubts having arisen, whether the said offenders could be legally tried by a General Court Martial in the province of Nova Scotia, for offences committed in the province of New York; I referred the case to the Attorney General, who being of opinion: "that the offenders "may be sent with the witnesses from New York to Halifax to take their Tryal there, before a "general Court Martial, constituted according to the Act against Mutiny and desertion, by special "warrant from His Majesty"—I am to desire your Lord^{pps} will be pleased to give the necessary orders to Gov^{r} Clinton to send the Offenders with the witnesses to Halifax.

I am at the same time to acquaint your Lord^{pps} that I will take care to send, by the first shipping to Nova Scotia, the proper directions to Gov^{r} Hopson to receive the said offenders and Witnesses, with his Maj^{tys} special warrant authorizing the appointing a General Court Martial for the Tryal and punishment of the offenders.

I am with the greatest respect—My Lords,
your Lord^{pps} most obedient and
most humble servant
H. Fox.

Lords of Trade to Secretary Fox.

[New-York Entries, O., p. 85.]

To the Right Hon^{ble} Henry Fox Esq: His Majesty's Secretary at War.

Sir

Upon considering your letter to Us, dated the 13 of February last desiring We would give the necessary Orders to M^{r} Clinton Governor of New York to send the Mutineers at Oswego with the Witnesses against them to Halifax, in order that they might take their tryals there, a difficulty has arisen in what manner the expence attending the passage of these people to and from Halifax is to be defrayed

We could wish that the Assembly there might be induced to make the necessary Provision for this expence and shall give directions to M^{r} Clinton to recommend it to them in the strongest manner but we have reason to believe that in the present disposition of the Assembly they will not be prevailed upon to grant any money for this Service And therefore we must beg the favour that you will be pleased to inform us what directions it may be proper to give M^{r} Clinton in case the Assembly shall refuse to comply with his recommendation

We are
Sir
Your most obedient and
humble Servants
Dunk Halifax
Ja: Grenville
Dupplin

Whitehall
Jan: 31. 1753.

Secretary Fox to the Lords of Trade.

[New-York Papers, Bundle Ii.]

My Lords,

I am honoured with your Lord^{pps} letter of the 16th instant, desiring to be informed what direct^{ns} may be necessary for your Lord^{pps} to give Govern^{r} Clinton, in case the Assembly at New York should not be prevailed upon by him to defray the expence of transporting the Mutineers, with the witnesses against them to and from Halifax, in order to their being tryed there; and am to acquaint Your Lord^{pps}, that as the prisoners and witnesses are, as I suppose, in the King's pay, as soldiers, the contingent expences, such, as the passage by sea, are usually defrayd by the corps they belong to; Gov^{r} Clinton should therefore, I think, be directed to order the Captains to defray the said contingent expences; but if, tho', it should, upon this occasion be thought too great for them to bear, the Assembly decline it, upon his directing his agent to apply to this office for such part of the expence as shall be thought too great for the Captains, I will take care that such excess shall be made good.

I am with the greatest Respect—My Lords
Your Lord^{pps} most obedient and most
humble servant.
H. Fox.

21. March 1753.

Opinion of the Lords of Trade on the Boundaries between New-York and New Jersey.

[Journal, 61.]

Opinion of the Board upon the Questions of Boundaries between N. Y. & N. J.

Thursday June 7th 1753.

At a Meeting of His Majesty's Commissioners for Trade and Plantations.

PRESENT—The Right Hon: Horatio Walpole — M^{r} Pitt
M^{r} Grenville — M^{r} Oswald.

New Jersey
New-York

Their Lordships took into Consideration the Act passed in the Province of New Jersey in 174$\frac{7}{8}$ for running the Line of Partition between that Province & New York and came to the following opinion and resolutions thereupon viz^{t}

The Act in Question is An Act passed by the Governor, Council & Assembly of the Province of New Jersey.

The general object of it is to run the Line of Partition and Division between the Provinces of New Jersey and New York.

The Considerations which arise upon this Act are of two sorts, viz^{t}

Such as relate to the principles upon which it is founded, & such as relate to the Transactions & Circumstances which accompany it.

If the Act & the Regulations prescribed by it are founded upon Principles of Justice, and are consistent with the established Forms of the Constitution in such cases, and can be rendred effectual to answer the proper and legal purposes of it, the Act ought to be confirmed.

But if on the contrary it should be found unjust, unwarrantable and ineffectual, it ought to be rejected.

As to the first, it is an Act of the Province of New Jersey interested in the determination of the Limits and in the consequential advantages to arise from it.

The Province of New Jersey in it's distinct and seperate capacity can neither make nor establish Boundaries; it can as little form Regulations for deciding Differences between itself and other Parties concerned in Interest.

The established limits of its Jurisdiction and Territory are such as the Grants under which it claims have assigned.

If those Grants are doubtfull and differences arise either upon the construction or upon the matter of them, We apprehend that there are but two methods of deciding them either by the concurrence of all parties concerned in Interest, or by the regular and legal forms of judicial proceedings.

The legal method of proceeding We conceive must be derived from the immediate authority of the Crown itself, and be signified by a commission from His Majesty under the Great Seal.

The Commission of subordinate Officers and of derivative Powers are not competent nor adequate to such purposes.

To judge otherwise would be to set up ex parte Determinations & incompetent Jurisdictions in the place of Justice and legal Authority.

If the Act of New Jersey cannot conclude other parties, it cannot be effectual to answer the Ends proposed.

That it would not be effectual to form an absolute decision in this case, the Legislature of that Province seems sensible, whilst it endeavours to place in the hands of the Crown the Decision of one point relative to this matter and of considerable importance to it, which power the Crown c^{d} not derive from them without their having the power to establish the thing itself without the assistance of the Crown.

As We think the present Act without the Concurrence of other parties concerned in Interest unwarrantable and ineffectual, the next point to be considered is what Transactions and Proceedings have passed towards obtaining such concurrence.

The principal Parties interested are the two Provinces of New York and New Jersey and the Crown.

The Provinces are interested with respect to their Government and Jurisdiction and His Majesty with respect Sovereignty, Seigneurie and Property.

With regard to the Transactions on the part of the Province of New York, We shall only observe, that whatever Agreements have been made formerly between the two Provinces for settling their Boundaries, whatever Acts of Assembly have passed, and whatever Commissions have been issued by the respective Governors & Governments, the Proceedings under them have never been perfected, the Work remains unfinished and the Disputes between the two Provinces subsist with as much Contradiction as ever.

But what we principally rely upon is, that those Transactions were never properly warranted on the part of the Crown, that the Crown never participated in them, nor could be bound with respect to it's Interests by Proceedings so authorized.

The Interests of the Crown may be considered in three lights, either as Interests of Sovereignty respecting mere government, of Seigneurie, which respect Escheats and Quit Rents; or of Property, as relative to the soil itself, which last takes place in such cases where either the Crown has never made any Grants of the Soil, or where such Grants have by actual Escheats reverted to it. With regard to the former viz[t] those of Sovereignty it may be alledged, that they are not materially affected by the Question, as both Provinces are under the Immediate Government & Direction of the Crown, but they stand in a very different light with respect to the Interest of Quit Rents & Escheats, and we think with respect to them the situation of the two Provinces makes a material alteration; for though the Province of New Jersey is not under Regulations either of Propriety or Charter with respect to its government, yet it is a Propriety Province with respect to the Grant and Tenure of it's Territory, and consequently as New York is not in that Predicament, the Determination of the Boundary in prejudice to that Province will affect the Interest of the Crown, with respect to the Tenure of such Lands as are concerned in this Question, it being eveident that whatever Districts are supposed to be immediately held of the Crown in New York by being supposed to be included in the Limits of the Province of New Jersey, will immediately pass to the Proprietors of that Province and be held of them, by which means the Crown will be deprived of it's Escheats and the Quit Rents pass into other hands; And as to what has been said to obviate this difficulty, that the Crown having made absolute Grants of the whole Territory that can possibly come in Question under the Determination of the Boundary, and reserved only trifling and inconsiderable Quit Rents, it does not seem to us conclusive, since it admits as Interest in the Crown, the greatness or smallness of which is merely accidental and does not affect the Essence of the Question. Though We cannot help observing that in the case of exorbitant Grants with inconsiderable Quit Rents and where consequently it may reasonably be supposed that the Crown has been deceived in such Grants by its Officers, the contingent Right of Property in virtue of it's Seigneurie seems rather to be enlarged than diminished.

This being the Case, it appears to us that Governor Hunter ought not to have issued his commission for running the line above mention'd without obtaining a previous direction & instruction from the Crown for that purpose, a Comission issued under such circumstances can be consider'd with respect to the interests of the Crown in[1] no other light than as a mere nullity; That even with respect to the Province of New York we observe the Commission is questionable, as it does not follow the Directions of the Act of 1717, which declares that the Commission to be issued shall be granted under the joint authority of the Governor and Council of that Province; But as it has been urged that the Crown has since confirmed and approved these Transactions either by previous declarations or by subsequent acquiescence, and consequently participated in them so far as to conclude itself. We shall in the next place consider the circumstances urged for that purpose. We do not think that any thing has been transacted in such a manner as to support such an Inference. It has been urged that the Crown by giving consent to an Act passed in New York in 1717 for paying and discharging several debts due from that Colony &c[a] concluded and bound itself with respect to the subsequent Proceedings had under the Commission issued by Governor Hunter. The view and purport of that Act appear to us so entire & so distinctly formed for the purposes of raising money and establishing funds so various and so distinct from any consideration of the Disputes subsisting

[1] *is*, in original. — Ed.

in the two Provinces with respect to the Boundaries, that We cannot conceive a single clause in so long and so intricate an Act can be a sufficient Foundation to warrant the Proceedings of Governor Hunter subsequent to it without a special Authority from the Crown for that purpose, and there is the more reason to be of this opinion as the Crown by giving it's assent to that Act can be construed to have assented only to the levying mony for a future purpose, which purpose could not be effected by any Commission but from itself, and can therefore never be supposed to have thereby approved a commission from another Authority at that time actually issued & proceeded upon previous to that assent.

With respect to the Transactions between the Province of New York and Connecticut, alledged to be similar to and urged as a Precedent, and even as an approbation of the Matter now in Question, We think the two cases materially & essentially different from each other. The Act passed in New York in 1719 for running and ascertaining the Lines of Partition and Division between this Colony and the Colony of Connecticut recites, that in the year 1683 the Governor & Council of New York and the Governor and Commissioners of Connecticut did in Council conclude an Agreement concerning the Boundaries of the two Provinces; That in consequence of this Agreement Commissioners and Surveyors were appointed on the part of each Colony, who actually did agree, determine and ascertain the Lines of Partition, marked out a certain part of them and fixed the Point from whence the remaining parts should be run; That the several things agreed on and done by the said Commissioners were ratified by the respective Governors entred on Record in each Colony and in March 1700 approved and confirmed by King William's Order in Council & Letter to His Governor of New York, from which Recital it appears to us, that those Transactions were not only carried on with the Participation but confirmed by the express Act and Authority of the Crown, and that Confirmation made the Foundation of the Act passed by New York for settling the Boundaries between the two Provinces.

As to the Argument which has been urged in support of the Act, That the Transactions already pass'd for settling the Boundary have determined the most material parts of it, and that one point being fixed and the other left to the Crown to fix at it's pleasure the remainder is of little Consequence & of no Difficulty. We observe in the first place that the Crown has been no Party to those Transactions, that the Merits and Execution of them are contested even by those who were parties to them, that the Crown would by such a Method be drawn in to give it's Assent to Matters in which it has never participated, and to authorize future Determinations upon it's Interests, under proceedings which it may have no opportunity to examine.

As therefore it appears to us that the Proceedings in this affair were not warranted in the first Instance by proper Authority, and as the Interests of the Crown may be immediately affected by this Act carried on without any proper Participation on the Part of the Crown, We cannot think it adviseable to recommend it to His Majesty for his Approbation.

Ordered that this foregoing Resolution and Opinion be communicated to the Agents for the respective Provinces, and that the Secretary do desire their Attendance at the Board on Wednesday the 4th of July.

Reverend Samuel Johnson to the Archbishop of Canterbury.

[" American Colonies M. S." Lambeth Palace, No. 1123, I., No. 64.]

May it please your Grace

This humbly waits upon Your Grace by *Mr Smith* a very ingenious Young Gentleman, in whose favor you wrote to Mr Chief Justice *De Lancey*.—He is now returning and desires, (as is fit) some account of his conduct, since he hath been in these parts, may be transmitted to Your Grace;—which I the rather very willingly do, as it falls in with a part of that duty which we owe to Your Grace, which is to inform you of the condition of things with regard to the church and religion in these parts of the world—

Your Grace will then be pleased to give me leave to inform you, That "*As the church doth hither westward fly—So sin doth dog and trace her instantly.*" To use the words of good old Mr *Herbert*—There is scarce anything of note written by the free-thinkers, (as they affect to call themselves) to the detriment of Christianity, but what is transmitted hither and propagated among us, and greedily read and imbibed by many conceited and unthinking people:—As Truth and Virtue propagate, Error and vice go side by side, and I fear will gain the Ascendant; which makes it extremely melancholy that we cannot be favoured with a good Bishop to assist and go before us in stemming the torrent.

Among other pernicious books the *Independent Whigg* grows much in vogue, and a notable set of Young gentlemen of figure in New York, have of late set up for writers in that way, in a weekly paper called the *Independant Reflector*—Several worthy gentlemen of the Church in that province have of late been embarked in a design of erecting a College as a Seminary of the Church, though with a free and generous toleration for other denominations.—Upon which these Reflectors have been indefatigable in their paper, and by all possible means both public and private, endeavouring to spirit up the people against us, and to wrest it out of the Church's hands, and make it a sort of free-thinking or latitudinarian Seminary, as your Grace will see by several of these papers Mr Smith will lay before you.

We have several of us been writing in the Church's defence against them, and endeavouring, not without some success to defeat their pernicious schemes.—Among others, I beg leave to inform Your Grace how much we are obliged to this Young gentleman for his excellent labours, whose behaviour hath been very virtuous inoffensive and amiable in all respects, and who hath exerted himself with great zeal & industry, and no less good sense & discretion in the Church's cause, and hath wrote several things with very good advantage for promoting that College, and for the advancement of learning in these parts, and particularly an excellent draught of a College, a copy of which I herewith send Your Grace, by which you will see to how good purpose he hath spent his time, and with what a benevolent and affectionate public spirit he hath been consulting the best interest of this Country, though a stranger in it.—We are extremely loth to part with him, as he would make a very excellent Tutor in our College especially in the Belles Lettres, and I humbly beg your Grace's influence with him that he may return again to us for this purpose. As he has a Draught which contains the principal steps the Assembly have taken and are taking with regard to their College I beg leave to refer you to him for anything further, & remain, may it please Your Grace

Your Grace's Most dutiful Son

& most obedient humble Servant

Stratford in New England
June 29th 1753.

(signed) Samuel Johnson

Governor Clinton to the Lords of Trade.

[New-York Papers, II., 67.]

Flushing upon Long Island
y^e 30 June 1753.

My Lords

By a Vessel bound to Liverpool I do myself the honor of inclosing a Duplicate of my last dated the 9^th^ Instant when I troubled your Lordships with my ill state of Health which is so far from mending that I find myself grow weaker every day and I greatly fear the ill consequences that may attend my family if any accident should happen to me here for as I have been so ill treated by the Faction I have great reason to fear those I leave may meet with worse which makes me more desirous of coming home than otherwise I should and am persuaded that all those who are husbands and Fathers must pity my situation

I take this opportunity to acquaint your Lordships what has since passed between me and the Indians that came down upon some complaints and the steps I immediately took with the Assembly to redress these complaints

I am sorry to be further troublesome in regard to some expressions in the votes of Assembly marked for your Lordships perusal by which I find there are some persons in the house evidently disposed to embroil the Publick affairs That the intentions of these Malecontents is to provoke me to a speedy dissolution to rob me of the present measures which are very agreable and likely to be exceeding beneficial to the Publick and afterwards when a disappointment has ensued to take occasion from a Dissolution to lay the whole blame of it upon me and by raising a popular disgust to secure to themselves a future Election I am persuaded the way to turn these mens malice upon themselves is for me at present to take not the least notice of the provocations given or that may be given before the conclusion of the Sessions

I have given the earliest notice to Governor Hamilton of the motions of the French and their Indians as I have received it and desired him to acquaint the other Governors to the Southward — I can not add any more than to assure your Lordships I shall use the best endeavours in my power for His Majestys Service and safety of the Province whilst I remain in it and beg leave to assure you of the profound Respect with which I am

My Lords
Your Ldps. mo obedient
and very humble Serv^t
G Clinton.

Colonel Johnson to Governor Clinton.

[New-York Papers, II., No. 60.]

May it please your Excellency

Last night I was alarm'd about 12 of the Clock by two Conajoharie Indians accompanied by a great many Mohawks, who came whooping & hollowing in a frightfull manner with the

enclosed string of Wampum to acquaint me by order of the five Nations, from whence it came by fresh Posts in less than forty eight hours that some of their young men who were hunting near a place called Swegaachey below Cadaraghqui having seen a great number of French and Indians march well equipped for War to said place, which it seems is their Rendezvous dispatched two brisk young men with the news to Onondaga, the rest remain to watch the French's motion, and to see if they pass the Roads leading to their Castles. if so, then they are certain their design must be against the Ohio Indians, Twighteeys &c[a] and in order to prevent said Nations being surprized by them they beg your Excellency would as soon as possible send them word of the French's being on the way thither, and that by the way of Philadelphia, as it is by much the nearest. But on the other hand should said army turn towards the five Nations, as they from their fears seem to think they may, there will be an express with a large Belt of Wampum sent to acquaint us of it and desire our assistance both of Men & Ammunition which they earnestly desired I would instantly inform your Excellency of. Nay so intent they were on it that they would not be satisfied until I wrote this, and dispatched it to Albany by one of my own people on Horseback in their presence, so that I hope your Excellency will excuse any blunders I may have made. and believe me with the greatest esteem imaginable

Your Excellencys
most obedient Servant
W[m] Johnson

20 April 1753.

P S.

They judge their number about twelve Hundred, besides the Battoe Men and say that there are a great many officers & young gentlemen by their appearance New York. A true copy
Ex[d] P[r] Gw Banyar D Sêcry

Captain Stoddart to Colonel Johnson.

[New-York Papers, ii., 62.]

Oswego May 15[th] 1753

Yesterday passed by here thirty odd French Canoes, part of an army going to Belle Riviere, to make good their claim there, and by a Frenchman who passed this also yesterday in his way to Cajocka gives me the following account which he said he learned from common Report in Canada Viz: that the army consisted of six thousand French commanded by Mons[r] Marin, who is ordered to Ohio to settle the Limitts between us and they, that they lay claim on all the Lands on any of the Rivers or creeks descending or terminating in the great Lake; that if he met with any opposition he is to make good his claim by force of Arms and to build Forts in such places he shall think most convenient to secure their right; that one Fort is to be built at Ka-sa-no-tia-yo-go (a carrying place) and another at Diontarogo; they are also to oblige all the English they meet with, whether Traders or others to evacuate the place, as they look upon all we possess now as their undoubted Right, which they mean to support by force

of Arms; That this expedition is agreeable to orders received from the Grand Monarque late in the winter, that he particularly orders them that they molest not this Post at any Rate in consideration of Cape Breton but at any other post the English shall presume to approach or settle near where they claim they are to reduce if not quitted immediately after warning given. That the expected a declaration of War by the first Vessells from France, which were not yet arrived, & was surprized when I told him we had as yet no intelligence or probability of a War; He also told me there was about 500 Indians of the Coghnawagees, Scenondidies, Onogonguas, Oroondoks & Chenundies who would not engage to go to war with the English & on Ohio but are employed at so much P^r^ Month to Hunt for y^e^ army: our five Nations are very uneasy, & many who were the first and principal settlers at Swegatsy are returning to their respective villages and seem to have much the spirit of Resentment in them, that the French should offer, to take possession or settle and build Forts at Ohio, without their consents, as they look upon it as their property, and many of them are now eager to take up the Hatchett and if they were a little spirited and assisted by us would soon with the assistance of their Allies, frustrate the Scheme of the French Politicians, intended settlements which if we tamely suffer, we may bid adieu to all the Indians on the continent as they will be y^r^ masters of them all, and the consequence will be a continual anoyance and encroachment on our Frontiers as there is no doubt but they will extend their Dominions in America as far as possible, and now seems the very Crisis of time to gain the Indians or for ever lose them: If I hear any thing further concerning this army shall not fail to communicate it to you at all apportunitys:

B. S.

The preceding is a true copy of a paper sent to his Excellency Gov^r^ Clinton by Coll W^m^ Johnson as a copy of a letter to him from Capt^n^ Benjamin Stoddart — Examined by

Gw Banyar D Sêcry

Lieutenant Holland to Governor Clinton.

[New-York Papers, II., No. 68.]

Oswego May y^e^ 15^th^ 1753.

Sir

I begg leave to inform your Excellency that yesterday passed this place thirty odd French Canoes, part of an army consisting of six thousand French, besides 500 Indians, commanded by Monsieur Marrin designed for the River Ohio or Belle Riviere, which from what we can learn from a French man who stopped here as well as sundry accounts from the Indians, are to settle the limitts between us and they at Ohio and that they lay claim to all the Lands descending or terminating in the great Lake and that in case of opposition they are to support their Claim by Force of Arms & are to cause all the english whether Traders or others to quit them parts: that the Commandant is invested with power to build Forts, and garrison them in such places, and in such manner he judges most proper to secure their claim

Our five Nations seem very uneasy and much exasperated at this unexpected expedition of the French and say they never will consent the French shall settle or build Forts at Ohio as its their right, and which they will never give over.

Every thing in this Garrison is well and as nothing further occurs—beg leave to subscribe myself with all due deference

Sir

Your Excellency's

mo dutiful humble Servt

HITCHEN HOLLAND

New York

A True Copy examd Pr

Gw BANYAR D Sêcry

Conference between Governor Clinton and the Indians.

[New-York Papers, II., 68.]

Fort George in the City of New York
12 June 1753.

MINUTES of Meeting between His Excellency the Hônble George Clinton Captn General & Commander in Cheif of the Colony of New York &c &c and Seventeen Mohawk Indians

PRESENT— Of His Majestys Council

James Alexander — Mayor of ye City
Archibald Kennedy — &
Edward Holland — William Johnson

Several Members of the Assembly
& other Gentlemen Attending

William Printeys Interpreter — Peter Wraxall Sêcry

Hendrick an Indian Cheif rose up & made the following speech addressed to his Excellency

Brother

We are come hither to renew & make bright the Covenant Chain of our Forefathers and to wipe away all Tears from your eyes (here he gave the Govr a String of Wampum) We come here with peaceable intentions

Brother

We are come to remind you of the antient alliance agreed on between our respective Forefathers: We were united together by a Covenant Chain and it seems now likely to be broken not from our Faults but yours

Brother

You know me very well, that I have always been a help and support to you when you have called our Six Nations together at Albany—By my means every thing has gone right & whilst the five other nations of Indians have promised and not performed the Mohawks have always proved true

Brother

I said just now you know me very well, and my heartaches, because we Mohawks have always been faithful to you, as our brother Col Johnson can Witness when he had the care of Indian affairs, especially in this last War there was no assistance given you but by our Nations, & had the War lasted some time longer we would have torn the Frenchmens Hearts out

Brother

I say the indifference and neglect shewn towards us makes our hearts ake, and if you dont alter your Behaviour to us we fear the Covenant Chain will be broken

Brother

We dont lay the blame upon yourself, but upon your Council & Assembly for brother we know you would be willing to do your part, but the dont regard us nor strive to take any care of us

Brother

It greives us to the Heart to know and hear that the Council and Assembly dont take care of Albany but leave it naked and defenceless, and dont care what becomes of our Nation, You sit in Peace & quietness here whilst we are exposed to the enemy

Brother

It is by your means that we stand every hour in danger, for it was at your request that we fought against the French, and they now dayly stand with a knife over our heads to destroy us and we are forced to be upon our guard because nothing is as yet settled between us

Brother

You have put the Hatchett into our hands & we Mohawks have taken and used it against your enemies, and you have never taken the Hatchett out of our hands so that we still have it

Brother

You have always desired us to keep the Roads amongst our Nations open & clear, but we have heard that this last spring there has been a great deal of Damage done amongst our Bretheren at Ohio, both white people and Indians killed Six Englishmen & Fourteen Indians, Showammers & Mehihammers for which reason that Road seems now to be spoiled

Brother

We beseech you to consider of some method to bring all things into the State they used to be between your Forefathers & ours for brother you must not imagine we alone are greived, the other Nations are so also, tho' we Mohawks are called the Head of the 5 Nations.

Brother

If you dont endeavour to redress our Greivances the rest of our Brethren the 5 Nations shall know of it and all Paths will be stopped.

Brother

We beg you will not be long considering of it, you may perhaps tell us you will write to our Father the King, but that will be too long, we therefore desire you will do some thing immediately or tell us at once you will do nothing at all for us

Hendrick then presented the Gov^{r} with a Belt of Wampum & sat down

At a Council held at Fort George in the City of New York the 12th day of June 1753

PRESENT—His Excellcy the Hônble Geo Clinton Captain General &c &c
Mr Alexander — Mr Holland
Mr Kennedy — Col. Johnson

Hendrick and three other Sachims of the Mohawk Nation lately come to this place were introduced & Hendrick spoke to His Excellency as follows

Brother
When our Brethren the English first came among us we gave and sold them Lands, and have continued to do so ever since, but it seems now as if we had no Lands left for ourselves

Brother
We have sold several small Parcels of Land to our Brethren and they have taken up a much greater quantity which will appear by the Records We know our Brother is not privy to this and do's not approve of it, but that it has been done by stealth and Deceit, and we desire our Brother to examine into the Grants of Land to know if there be any such Frauds. We did design to give several Tracts of Land to sundry persons, but whenever we were about to sell a piece of Land to a poor man we were informed the Land was taken by others & that therefore we could not dispose of it

Brother
As to what we have sold we are well satisfied therewith and sensible, but it greives us to have more taken up than we have agreed to sell And there are several people come down with us who have agreed with us for the Land, and if they will do right we will do justice to them for we do not love to cheat our Brethren. And we desire our brother to let us see the Patents that we may shew our brother what Lands we have sold & what we have not, for sure brother there is no grant given out but that the names of the Persons who bought the Lands & of the Surveyor & Interpreter are mentioned & by this we shall know who have cheated us.

Brother. I am going to tell you how many persons we design to drive away from our Lands Viz. Barclay, Pichetts wife who lives just by us and who does us a great deal of Damage by selling us liquors and by that means making us destroy one another: Some short time before we left home & an Indian was stabbed thro' her selling Liquor. We let her have a little spot of Land and she takes in more and more every year, and we desire our brother to give us an order to turn her off the Land when we go home.

Brother We have a complaint against Arent Stevens he bought a Tract of Land of us, and when the Surveyor Hendrick Fry, came to survey it we shewed him how far to go, and then Arent Stevens came and told Fry he had employed him and made him go a great deal further and now this last spring there came an other Surveyor Mr Colden to survey the same piece of Land and then Arent Stevens made Mr Colden still go further than Fry went, so that he stole twice from us; And lately Mr Fry surveyed this Land again & had one Indian Chain bearer, and Fry told us he would show us exactly how far we had sold the Land, and then we found out how much was stolen from us

Brother

We have another complaint against Conradt Gunterman who was a very poor man, and who we took amongst us a gave him a Tract of Land out of Charity with which he is not satisfied being two miles, but takes in more which we have not given or sold him, and since that he has got a surveyor & surveyed a great quantity of Land which we know nothing of, so we intend Brother to take a little Rod and whip him, which may deter others from doing the same Gave a Belt of Wampum

Then Hendrick told His Excellency that he had a piece of News to tell him, which was that just before they came away the French sent a String of Wampum to the six Nations to call them to Cadaracqui to speak with them and that the said String of Wampum was delived at Onondaga to the Bunt who desired the Messenger to call on his way at the Oniedes to acquaint them with the Intentions of that String of Wampum, & then to give it to Hendrick & Abraham that they might consider of it, for that the Mohawks for some time past had not gone the Road to the French, and that they imagined the intended to do as they had done formerly, invite them to a Feast and then destroy them

A true Copy examined.

by Gw Banyar

Deputy Clerk of the Council

At A Council held at Fort George in the City of New York the 15th day of June 1753 P M

Present—His Excellency the Honble Geo Clinton Captn Gênll & Governor in Cheif &c &c

Mr Alexander	Mr Holland
Mr Kennedy	Coll Johnson

Mr Holland Chairman of the Committee appointed to examine into the complaints of the Mohawk Indians (now in this City) of encroachments made on their Lands by the White People, and of persons patenting and taking up a greater quantity of Land than they have sold to them, Reported, that the Committee find that all the Lands in the purchase of which the alledge they have been defrauded have been patented many years before His Excellency came into this Government except in the case of Conradt Gunterman, and that the grant to him contains no more than the quantity mentd in the Deed of Purchase, nor more than the said Indians acknowledge they had given to him—That the Committee ordered the Interpreter to attend with Hendrik & another Indian and that Hendrik assigned the following cases in which they had been defrauded of their Lands to wit

"In Livingstons Patent of the Flatts at Conojohary, more Land was taken up than was sold by the Indians

"Captn Collins's Land at Conojahary, that the Indians sold the Low Land but not the wood Land

"Cornelius Cuylers Land at the little Carrying place northside of the River, that the Indians sold the Wood Land but not the Low Land

"Peter Wagenaers Land over against Conojahary Castle North side of the River, the Indians say he was asked if he would have more Land, to which he said no. but yet has taken up as much again as he [they] sold him

"That said Wagenaer bought of the Indians some Land lying on the South side of the River below the Castle & has taken up as much more as they sold him

"Johannis Lawyers Patent at Stonerabie that the Indians sold to him no further than the Creek called the Cunstaghrathankre, in English the Creek thet is never dry, and that he has taken up six miles further than the Creek

"That Honnes Clock possesses & claims an Island opposite to Hans Hesse's Land below the Indian Castle at Conojohary which they never sold to any Person and desire they may have it again

And then Hendrik added that these were the cases in which they have been considerably cheated which were of too great importance to be neglected, and that there are other Instances but being of little consequence they took no notice of them

A True Copy
Examined by me
Gw Banyar
D. Cl. of the Council

Fort George in the City of N York
The 16th June 1753

Minutes of a conference held this day between His Excellency the Honble Geo Clinton Capt General & Commander in Cheif of the Colony of New York &c &c and seventeen Mohawk Indians

Present— Of His Majestys Council
James Alexander — Edward Holland
Archibald Kennedy — Mayor of the City
William Johnson
Paul Richards Esqre Representative
for the City & other Gentlemen attending
William Printeys Interpreter — Peter Wraxall Sêcry

His Excellency opened the Conference by the following Speech in answer to Hendriks Speech made to His Excellcy the 12th Instt

Brethren
I am glad to see you here and the more so as you are come with an Intention to renew & brighten the Covenant Chain that hath so long united us together, and I give you this String of Wampum to wipe away your Tears (Gave a String of Wampum)

Brethren
The Management of your affairs is now put on the same footing as formerly for Commissioners have been appointed some time ago and Provision is now made for them

Brethren
I have reason to expect that Provision will also be made to take the Hatchett out of the Hands of the Six Nations and there will be an interview with you at Albany this summer for

that purpose and for strengthening & brightening the Covenant Chain that the same may remain inviolable as long as the sun and Moon endure

Brethren

I have always desired you to keep the Roads between the Nations open and clear and I do still recommend it to you, as I look upon it to be essential for keeping up an intercourse between us—The Loss of our Brethren at Ohio gives me a great deal of concern and I shall consult with the Governor of Pensilvania on this Occasion and do every thing in my Power to prevent any further mischeif being done to them by the French or their Indians and as often as I receive any intelligence of any attacks intended to be made on you or your Allies by the French or the Indians in their Alliance you may depend on my giving you the earliest notice of it that you may be on your guard and as much as possible prevent the execution of their Designs (Gave a Belt of Wampum)

His Excellency then gave the following answer to the complaints of the Mohawk Indians concerning their Lands made to His Excellency in Council the 12th Inst. by Indian Hendrik as pr Copy above

The same persons remaining present as at the foregoing speech

Brethren

You complained to me that some encroachments have been made upon your Lands by the white People and that some persons have taken up and Patented a much greater quantity than you have sold them, which complaint I have laid before His Majestys Council who have reported to me, that the find all the Lands in the purchase of which you say you have been defrauded have been patented many years before I came into this Government except in the case of Conradt Gunterman

It would be impossible by examining the Grants of Land registered here to find out whether the persons who have purchased them have imposed on you, since there is no doubt the Deeds of purchase upon which those Grants as well in regard to the quantity as the situation of the Lands. I must therefore refer the particular Instances in which you say you have been defrauded, as well as such others as you may hereafter be able to point out to the commissioners of Indian affairs who I shall direct to send for the persons interested to appear before them and to examine the matter thoroughly as possible and to make a Report thereupon to me, in order that strict justice may be done you where you have been injured

As to the complaint against Coenradt Gunterman, you acknowledge you gave him a piece of Land of two miles and upon examining the Deed he obtained from some of your people and the Kings Grant to him in consequence of that purchase, it does not appear from thence that he is entituled to a greater quantity; I must therefore insist that you suffer him to continue in the Quiet possession of so much Land as he may justly claim under that Grant, and if as you alledge he claims more and persists in that claim, I can still by no means consent that you turn him off the Land, but that you make the same known to the Commissioners of Indian affairs at Albany, that the necessary orders may be given to redress you neither can I consent that you turn away any of the other persons you complain of from the Lands they claim or possess, but must recommend to you to wait till the several matters can be examined into by the commissioners and in every instance wherein it may appear you have been imposed on I shall use my utmost endeavours that justice may be done you.

The instance you assign of Arent Stevens's taking up more Land than you had sold appears now in a very different Light from the Draught & Survey of that Land which has been shewn to you, and as you seem to be convinced no more Land is included in that Draught than you formerly sold, I expect you are well satisfied and that I shall hear no more complaints on that account (Gave a Belt of Wampum)

Brethren

I can not help expressing my satisfaction at your behaviour on the Receipt of the Message accompanied with a String of Wampum from the Governor of Canada inviting you to Cadaracqui to speak with you. The French you know have ever been treacherous to you and you can not be too much on your Guard against them

His Excellency having thus concluded his Reply. Indian Hendrik rose up and spoke as follows

Brother

Those persons who came down before us, we have sold & given Lands to and are desirous you will give them Deeds for the same and Brother we desire for the future that you will never Grant any Licences to purchase Lands unless we are present with you

Brother

If any Person or Persons whatsoever shall come to measure Lands in our Parts without first having our consent, should any accident happen we hope you Brother will not expect any satisfaction from us

Brother

We dont lay the blame so much on M^{r} Colden as on those persons who employed him

Brother

We desire that Jerry Klock here present may have a Licence to purchase the Land we have agreed with him for

Brother

We desire you will promise to comply with our Requests

Hereupon the Governor and Council withdrew & being return^{d} His Excellency spoke to the Indians as follows

Bretheren

I will grant a Licence to Peter Schuyler in the usual Form to purchase the Lands which you say you have given him, as you Desire it & as this Land seems to be given him instead of the Land he had obtained a Licence to purchase from you, and as the Land you desire to be granted to Jerry Klock and the other matters you have just now mentioned, they seem of so extraordinary a nature, I can come to no immediate Resolution upon them especially as there are so few of the Gentlemen of the Council in Town, and therefore those Matters shall be taken into consideration and an answer given you thereupon at the conference to be held at Albany this summer

To this Hendrik replyed

Brother

All what we have desired to be done for our Good is not granted which makes our hearts ache very much

Brother

When we came here to relate our Greivances about our Lands, we expected to have some thing done for us, and we have told you that the Covenant Chain of our Forefathers was like to be broken, and brother you tell us that we shall be redressed at Albany, but we know them so well, we will not trust to them, for they are no people but Devils, so we rather desire that you'l say, Nothing shall be done for us

Brother

By & By you'l expect to see the Nations down which you shall not see, for as soon as we come home we will send up a Belt of Wampum to our Brothers the 5 Nations to acquaint them the Covenant Chain is broken between you and us. So brother you are not to expect to hear of me any more, and Brother we desire to hear no more of you. And we shall no longer acquaint you with any News or affairs as we used to do; and as to Jerry Klock there are people who want to do him some harm but we will not agree to it

Brother

We did not expect when we came from Home that all our desires would have no effect

The Indians then went away

The foregoing Proceedings between His Excellency Governor Clinton and a Deputation of the Mohawk Indians contained in Eighteen pages are faithfully taken from the Records of Indian Affairs

By me

PETER WRAXALL

Secry and Agent

for Indian Affairs

Representation of the Lords of Trade to the King.

[New-York Entries, O. p., 60.]

To the KING'S MOST EXCELLENT MAJESTY

May it please Your Majesty

In obedience to Your Majesty's order in Council dated the 6 of last month, We have prepared Draughts of General Instructions and of those which relate to the Acts of Trade and Navigation for Sir Danvers Osborn of Chicksands in the County of Bedford Bar^{t} whom Your Majesty has be pleased to appoint Governor of the Province of New York; in which Draughts We have made alterations from, and additions to the Instructions given by your Majesty to the Hon^{ble} George Clinton Esq: the late Governor of the said Province in the following particulars; Viz^{t}

Upon a revisal of the former General Instructions it appear'd that by a frequent Insertion of the additional Instructions given from time to time to the several successive Governors of New York and by not observing a proper method in inserting them, the order in which the said General Instructions had been first arranged was alter'd and things which had no proper relation to each other so intermixed as to create Confusion and perplexity We have therefore in the present Draught ranged and digested the several Articles in such a manner as that those which relate to the same subject may be found together. We have likewise in many parts of the said Instructions, where the expressions might admit of a doubtful construction endeavoured to make them more explicit; But as a minute detail of such variations as are merely literal seems unnecessary We shall only point out to your Majesty those alterations which have been made in the subject matter of these Instructions

In all such parts of these Instructions where the Governor is directed to transmit any particular or general Accounts of his Proceedings, and of the state of affairs within his Government. We have omitted the words *to us by one of Our principal Secretaries of State* and have inserted lieu of them, *To Our Commissioners for Trade and Plantations*, in order to be laid before Us, conformable to the directions of that part of your Majesty's Order in Council of the 11 of March 1752 containing regulations with respect to the Plantations which relates to the Method of Gov^{rs} Correspondence, and we have added a Clause to the last Article of the said Draught of General Instructions, directing the Governor to correspond with the Secretary of State only, whenever any occurrences shall happen within his Government of such a nature and importance as may require your Majesty's more immediate direction by one of your Principal Secretaries of State, and also upon all occasions and in all affairs whereupon he may receive your Majesty's Orders by one of your Majesty's Principal Secretaries of State.

In these Instructions we have inserted the Names of 11 Persons all of which have been already appointed by Your Majesty to be of your Council in that Province, but we have thought it adviseable to leave out the name of Daniel Horsmanden who since his apointment to be of your Maj^{ty} said Council has been suspended from his seat by the late Governor and has in consequence thereof presented a petition to your Majesty praying to be restored which petition is now before Your Majesty for Your Royal determination thereupon

In the Article relative to the recommendation of persons to supply vacancies in the Council, N° 7 instead of the direction to transmit a list of the names of twelve persons and always to keep that list complete, as this Article formerly stood the Governor is directed as often as any vacancy shall happen, to transmit the names of three persons in order to be laid before Your Majesty for your choice of one of them, which we humbly apprehend to be the more proper method as the Governor may not be able at one time to name twelve persons fit to supply Vacancies in the Council, or his opinion of person by their subsequent Conduct or other Circumstances may be justly altered so as to render them improper to be admitted into the Council when it may be their turn to supply Vacancies.

In the Article relative to the appointment of Judges Justices of the Peace and other Magistrates and Officers, (N° 10) the Governor is particularly directed not to make such appointments without the consent of his Council, to which direction tho' plainly implied in the former Instructions, the Governors have not strictly adhered. We have likewise omitted that part of the former Instruction which directs the Governor not to express any limitation of time in the Commissions which he is empowered to grant to persons whom he may appoint to the aforesaid Offices which direction appeared to us to be inconsistant with the Article

which next follows in the Instructions which leaves a power in the Governor of removing Judges and Justices under certain restrictions.

It having been represented to us that the Instructions relating to appeals to Your Majesty in Council from the Courts in the Plantations were improper we referrd them to your Majesty's Attorney and Solicitor General, who prepared a Draught of Instructions for that purpose which we have inserted Articles N° 26 & 27

In the Instruction relative to Patent Officers, (N° 29) We have inserted the words, Or to which any person is, or shall be appointed by Warrant under Our Signet or Sign Manual, it appearing to Us, that there are several Offices in this Province to which persons are appointed by such Warrant under Your Majesty's signet and sign manual.

In the Article relating to forfeitures and escheats (N° 54) in order to prevent the disposal of them for less than the real value, We have inserted an additional Direction to the Governor not to dispose thereof until he shall have transmitted an account of such Forfeitures and Escheats and received Your Majesty's Directions thereupon.

In the 55 Article which empowers the Governor to regrant the Lands resumed to Your Majesty by virtue of an Act passed at New York in 169$\frac{8}{9}$, we have limitted the Number of Acres of such lands to be granted to any one person to 1000 instead of 2,000 as it stood in the former Instructions and as most, if not all of the original Patentees of these resumed lands to whom alone as the Instructions stood, such lands could be regranted may be dead We have added the following Words *or to any other persons who shall apply for the same*

The 64 & 65 Articles which relate to the preservation of Your Majesty's Woods in America and to the importation of Naval Stores are founded on several Acts of Parliament passed here for those purposes, and as they have been approved by Your Majesty in the Instructions given to Benning Wentworth Esq: Your Majesty's Governour of New Hampshire in the year 1741. We have inserted them instead of the former Instructions on those heads

We have omitted that Article of the former Instructions which directs the Governor to get a law passed for the punishment of mutiny and desertion which appears to us to be highly improper as the Act of Parliament passed here for punishing Mutiny & Desertion extends to the Plantations.

We have also omitted several other Articles of the former Instructions relative to the regulation and return of able and sufficient Jurors to the Bounds of Parishes to the removal of obstructions in the Trade of New York and Albany to the building a fort in the Onondage County and to the encouragement of the Royal African Company; the purposes for which those Instructions were calculated having either been long since carried into execution or the causes on which they were founded having ceased and determined

Besides the foregoing alterations we have added the Articles N^{os} 39, 46, 56, 57, 58, 59, 60 & 61.

The 39 Article recites the several encroachments which have of late years been made upon your Majesty's Authority and Prorogative in this Province with regard to the methods of raising and disposing of all publick mony for the support of Government as set forth in Our Representation to the Lords of Your Majesty's Council dated the 2 of April 1751, and as it appears to us that the only method of restoring the peace and tranquility of the Province which has been greatly disturbed by such proceedings and of preventing the like encroachments for the future must be by having a permanent and fixed Revenue for the support of Government This Instruction admitts the Governor to use his best endeavours to obtain such an Establishment

The 46 Article whereby the Governor is forbidden to give his assent to any Acts for imposing any duty's on the importation of Negroes from Africa or felons from this Kingdom and the 67 and 68 relative to the Surveyors General of Your Majesty's Customs in the several Colonies within their respective districts are to the same effect as those Instructions on the like subjects which have been approved by your Majesty and given to your Governor of the Leeward Islands.

Several exorbitant Grants of Lands having been formerly made within that part of Your Majestys Province which adjoins to New Jersey without any proper condition of cultivation and upon trifling and inconsiderable Quit Rents by which your Majesty's Revenue has been injured and the settling and improving the Province greatly obstructed We have inserted the 56 Article directing the Governor to enquire into the state of these Grants, and to take all lawful methods for vacating them and that your Majesty may be informed of the state of all grants in General within the said Province and of your revenue of Quit Rents and likewise to prevent the like evil practice of making exorbitant unconditional Grants of Lands, We have added the 57, 58, 59, 60 and 61 Articles directing the Governor to enquire into the state of all grants of lands, and of your Majesty's Revenue of Quit Rents and prescribing regulations for his further direction in granting of lands, with respect to all which points the former Instructions were either totally silent or very defective.

In the Instructions relative to the Acts concerning trade and Navigation We have inserted the titles of many laws which were omitted when the former Instructions where given to M^{r} Clinton and have added such as have been passed since; We have added the 6 and 7 Articles and made such alterations for the more effectually preventing frauds in the Plantation Bonds as are conformable to a Representation of the Commissioners of Your Majestys Customs in the year 1737.

We have also added the 22 Article containing directions to the said Governor for the more effectual execution of the Act passed in the 21 year of your Majesty's Reign for encouraging the making of Indico in the Plantations in America

All which is most humbly submitted

DUNK HALIFAX
CHARLES TOWNSHEND
JAMES OSWALD

Whitehall
July 5 .1753

Order in Council respecting the Commission for Sir Danvers Osborne, Baronet.

[New-York Papers, II., No. 70.]

At the Court at Kensington the 19th day of July 1753

PRESENT— The KINGS MOST EXCELLENT MATY in Council

Upon reading this day at the Board a Report from the Lords Commissioners for Trade & Plantations, together with the draught of a Commission prepared by the said Lords Comm^{rs}, for Sir Danvers Osborne Baronet to be Capt^{n} General & Governor in Cheif of His Matys

Province of New York and the Territorys depending thereon. in America—And it appearing that the said Draught of a Commission is drawn in the usual Form His Majesty was pleased with the advice of His Privy Council, to approve thereof, and to order as it is hereby ordered, That the Right Honorable the Earl of Holdernesse one of His Majestys principal Secretarys of State do cause a Warrant to be prepared for His Majestys Royal Signature, in order to pass a commission under the Great Seal of Great Britain agreeable to the said draught which is hereto annexed

A true Copy
W SHARPE

Report of Attorney and Solicitor Generals on Appointment of Chief Justice Delancey.

[New-York Papers, Vol. II., No. 69.]

Case

Mr Clinton, the late Governor of New York, was empowered by Letters Patent under the Great Seal "to constitute and appoint judges and in cases requisite Commissioners of Oyer "and Terminer, Justices of the Peace and other necessary officers and Ministers in the said "Province for the better Administration of Justice and putting the Laws in Execution

By the 39th Article of his Instructions he was directed "not to displace any of the Judges, "Justices, Sheriffs or other Officers or Ministers within the said Province of New York, without "good & sufficient cause to be signified to the King and to his Commissioners for Trade and "Plantations; and in order to prevent arbitrary Removals of Judges and justices of the Peace, he was further directed by the same Instruction not to expect any Limitation of Time in the Commissions which he should grant with the advice and consent of the Council of the said Province to persons fit for those employments

Some time after Mr Clintons arrival in his Government he gave a commission under the Seal of New York to James Delancey Esqre to be Cheif Justice during his good Behaviour, which office had before that time been usually held during pleasure

Query Had Mr Clinton any Power to grant such commission during good behaviour, contrary to what had been practised in former cases?

Query Can the Crown legally revoke the said Commission? if it can what will be the proper manner of doing it?

To Both Querys We think the Governor should not have granted this in a manner different from the usage. But as the Power given by the Commission is general We apprehend the Grant is good in point of Law & can not be revoked without misbehavior

D RYDER
25 July 1753. W. MURRAY

Lords of Trade to the Earl of Holdernesse.

[New-York Entries, O. P., 297.]

To the Right Hon^ble^ Earl of Holdernesse One of His Majesty's Principal Secretaries of State.

My Lord

In obedience to his Majesty's commands We have prepared and laid before his Majesty a Draught of Instructions for Sir Danvers Osborn Bar^t^ whom His Majesty has been pleased to appoint Governor of New York in which we have omitted nothing which appeared to us to be necessary for his guidance and direction in the execution of his important Commission entrusted to his care, except only what relates to the encroachments which have been made by the French upon His Majesty's just rights within this Province and more particularly that at Crown Point, of which matter we did not think it expedient to take any notice in the General Instructions as it may be considered as an object of the Negotiation now carrying on between the two Crowns with respect to the disputed Points in America The Nature Strength and Situation of this Important Post, and the fatal consequences which must inevitably follow from the French being suffered to remain in possession of it, are so well known to your Lordships that it is unnecessary for us to trouble Your Lordships with any further observations upon it But We submit to your Lord^p^ whether it may not be advisable when a New Governor has been appointed by his Majesty for this Province that he should receive some instructions with respect to a point of so great importance and which so essentially affects His Majesty's rights and interests and the future peace and security not only of the Province of New York but also of all His Majesty's other Colonys upon the Continent of America

We are

My Lord

Your Lordships

most obedient and

most humble Servants

DUNK HALIFAX

J. GRENVILLE

ANDREW STONE

Whitehall
Aug: 9. 1753.

Order in Council on Sir Danvers Osborne's Instructions.

[New-York Papers, Ii., No. 71.]

At the Court at Kensington the 10 August 1753.

PRESENT— The KINGS MOST EXCELLENT MÂTY in Council

Upon reading this day at the Board a Report from the Right Honorable the Lords of the Committee of Council for Plantation affairs dated the 26^th^ of last month upon considering the Draughts of General Instructions as also of those which relate to the Acts of Trade and

Navigation prepared by the Lords Cõmmrs for Trade and Plantations pursuant to his Majestys Order in Council of the 6th of June last, for Sir Danvers Osborne Baronet, Governor of the Province of New York — By which Report it appears that in these Draughts of Instructions the said Lords Commissioners have made some alterations from and Additions to the Instructions given by His Majesty to the Hõnble George Clinton Esqre the late Governor of the said Province, particularly with regard to the encroachments made of late years by the different Branches of the Legislature upon His Majestys Prerogative; and the Lords of the Committee being of opinion, that the same are not only proper but necessary to be made His Majesty was thereupon pleased, with the advice of His Council to approve of the said Draught of Instructions together with the additions and alterations made therein and to order as it is hereby ordered That the Right Hõnble the Earl of Holdernesse one of His Majestys principal Secretarys of State do cause the said Draughts of Instructions (which are hereunto annexed to be prepared for His Majestys Royal Signature

A true Copy
W Sharpe

Earl of Holdernesse to the Governors in America.

[Govrs & Comdrs in No America. (S. P. O.) No. 74.]

Whitehall. 28. August 1753.

Sir,

His Majesty having received Information of the March of a considerable number of Indians not in alliance with the King, supported by some regular European Troops, intending as it is apprehended, to commit some hostilities on parts of his Majesty's dominions in America, I have the King's commands to send you this intelligence, and to direct you to use your utmost diligence, to learn, how far the same may be well grounded, and to put you upon your guard, that you may, at all events, be in a condition to resist any hostile attempts that may be made upon any parts of His Majesty's Dominions within your Government; and to direct you in the King's Name, that in case the subjects of any Foreign Prince or State, should presume to make any incroachment on the limits of His Majty's dominions, or to erect Forts on His Majesty's Land, or comit any other act of hostility, you are immediately, to represent the injustice of such proceeding, and to require them forthwith to desist from any such unlawful undertaking; but if notwithstanding your requisition, they should still persist, you are then to draw forth the armed Force of the Province, and to use your best endeavours, to repell force by force. But as it is His Majesty's determination not to be the agressor, I have the King's commands, most strictly to enjoin you, not to make use of the armed force under your direction, excepting within the undoubted limits of his Majesty's dominions.

And whereas it may be greatly conducive to His Majesty's service, that all his Provinces in America should be aiding and assisting each other, in case of any invasion, I have it particularly in charge from his Majesty, to acquaint you, that it is his Royal will and pleasure, that you should keep up an exact correspondence with all His Majesty's Governors on the Continent; and in case you shall be informed by any of them, of any hostile attempts, you are immediately

to assemble the general assembly within your Government, and lay before them, the necessity of a mutual assistance, and engage them to grant such supplies as the exigency of affairs may require.—I have wrote by this conveyance to all his Majesty's Gov^{rs} to the same purpose.

I am ettc.

HOLDERNESSE

Journal of Conrad Weiser's Visit to the Mohawks.

"Journal of Conrad Weiser to the Mohocks' Country:

"July 24th, 1753.—Set out from my House in Heidleberg in Berks County—arrived in Philadelphia.

"On the twenty-sixth.—Waited on his Honour the Governor and received my Instruction.

"28th.—Set out with the Stage Boat for Bordentown.

"August 1st.—Arrived in New York early in the Morning, being taken ill sent my Son Sammy with one Henry Vanden Ham to Flushing on Long Island to wait on Governor Clinton and deliver Governor Hamilton's Letter to him. Governor Clinton being gone to the Plains, they left the Letter with his Lady and returned the next Day.

"Aug^{t} 4th.—Went on Board an Albany Sloop, one Jacob Shanshack Commander.

7th.—At Five o'clock arrived in Albany—next Day, in the morning, delivered Governor Hamilton's Letter to the Mayor, Mr. Sanders, who thought proper to call the Commissioners of Indian Affairs to meet at four o'clock in the Afternoon, to concert Measures to bring back the poor Prisoners from Canada belonging to Pennsylvania, taken in January last on the Waters of Ohio, the said Prisoners having wrote several Letters praying his Assistance for their Relief, which Letters Mr. Sanders gave me to peruse.

"Accordingly at four o'clock the Commissioners met at the House of one Lottridge, and a French Indian Squaw was sent for, who had one of the Prisoners, to wit, Jabez Evans, in her Family, given to her instead of Degarihogon, her Son or Relation, who died two years ago.

"The Indian Woman's Name was Susanna, Wife of one Thanyuchta. She being a noted Woman, and none of the Indians of that Country being in Albany but young Lads, She being asked how it came that those poor People were taken Prisoners in time of Peace, she made Answer that some of the Caghnawaga Warriors went to fight the Oyadackuchraono, and happened to meet some of them at some distance from their Country, accompanied by these White Men, who when they saw that the Caghnawagas would or had a mind to kill or take the Oyadackuchraono, they the English made Resistance, and wounded one of their Men with a Musquet Ball in his Arm, upon which they resolved to take the White People as well as the Indians, and brought them away to Canada, leaving their Horses and Things upon the Spot; and when they came to Canada they presented the said Prisoners to the Governor General, and told him how things happened, and that the Governor made Answer he would have nothing to do with those Prisoners, upon which they, the Indians, took them to their Towns, and three of them were given to an Indian living in Caghnawaga, one to the Indians at Canassategy, and two were imprisoned at Quebec, for what Reason She did not know.

"The Commissioners told the Woman that they had received several Letters from these poor Prisoners praying for Relief (this very Woman had brought one from Jabez Evans), and as they were taken in time of Peace they desired that they might be brought back again; That the Commissioners would make reasonable Satisfaction to those that had them in their Houses and had used them kindly if they would bring them over. The Commissioners sent a Belt of Wampum (which I did provide) to the Chief Men of Caghnawaga, called Anuchrakechty, to require his good office for the Release of these Prisoners, which the Woman undertook faithfully to deliver; she being a very intelligible Woman I desired Mr. Sanders to give her a Piece of Eight to buy some Bread for her Return, which She received very thankfully. I served the Commissioners as Interpreter, because it was thought fit that my Name should not be mentioned for fear that the Expectation of the Indians would rise too high; but the Woman asked me where I lived, because I could talk their Language so well, she wondered that I was never heard of. I told her I lived at Shohary and travelled up and down among the Indians, and so forth. By Way of Discourse she informed that the Conduct of those Indians that brought the English Prisoners was not approved of at Caghnawaga, and that the Rest of the Indians were angry at those that took them, and in their Drunkenness would call them old women and Breakers of the Peace, and that it was a Shame to take People that had not offended and in time of Peace, that it appeared plain to the Indians that those Prisoners had done no Harm.

"August 9th.—Set out from Albany with a Schnechtady Waggon for the Mohock's Country.

"10th.—Staid at Schnechtady, it being a rainy day—met Henry Peters, the Chief of the Mohocks (he that made so much Noise at New York), in his way to Stockbridge, at the House of Arrant Stevens the Provincial Interpreter, whom I went to visit and had some Talk with him about Indian Affairs.

"August 11th.—Hired a Man and Two Horses to carry me to the Mohock's Country, where I arrived the same Day and was kindly received by Col. Johnson.

"12th.—Abraham Canusta, another Chief of Canajohary, arrived in his way to Albany. We went together to the Mohock's Castle to attend the Publick Worship with the Indians. I met some more of the Chiefs—gave them an Invitation to come and see me at Col. Johnson's to have some talk together about the News now stirring abroad every where.

"13th.—With a String of Wampum, I delivered my Message to the Chiefs of the Mohocks, to wit: Seth Degarihogan, Kanadakayon, Konadochary, and Kellian, in the Presence of Col. Johnson. After about an Hour's time they made answer (Kanadakayon Speaker) that they were in the same Condition and laboured under the same Difficulties with their Brethren the English; that all what they could say was of Hearsay, though from good Authority, and that they believed it was too true, to wit: that the French passed Oswego with a very numerous Army of Men well armed and some great Guns, and gave it to understand to the Six Nations that they intend to take Possession of their Lands at Ohio, which Land they said did belong to them from old Times, and that they would build Strong Houses at the Carrying Places, Jonasky a Carrying Place, Attoniat the Middle of the Carrying Place, and at Ohio, where they take Water, and at Logstown, and so take Possession quite down till they met the French coming from below, and that they would give Warning once or twice to the English Traders on Ohio to remove; if they did it was well, otherwise they would strike them. The same they would do to the Shawonese to remove or kill them. As to all the Rest of the Indians they would not meddle with them if they behaved well and sat still; otherwise, if they disputed

the French's Right to the Land, and would appear to be offended with what the French was now a-doing, they the French would make use of their Arms that they made use of from the Beginning of times, that they still knew how to use them against the Indians as well as in former times, and feared nothing.

" That upon this the Senecas sent a Message to their Brother Col. Johnson to ask how long they had to live, and what was the Intention of the French. They thought the Coll. must know, and begged earnestly to be informed how things were. That the Coll. sent three Belts of Wampum to let them know that it was that what he often had told them, that if they did not stand upon their Guard and would now suffer the French to take Possession of Ohio or build Strong Houses any where upon the Six Nations' Land, it would be over with the Six Nations, and their Union would signify nothing more. That they must now stand up and shew that they are a People of Note, or lose all, &ca. This Message was to go to Canayichagy, as well as through the Six Nations, but the Senecas stopped it, and sent their own Message to let the Canayiahagons know that they must sit still, notwithstandinng the French's Expedition.

" They desired that this my Message might be delivered to the Six Nations at Onondago, and further Kanadakyon said not.

" Had some Hours' Talk with the before-named Abraham, an old Acquaintance of mine, and is looked upon to be the most sincere Indian of that Nation. He told me by Way of Discourse that the Six Nations were afraid of the French, because They the Indians being so divided and the French Alliance among the Indians so strong, that the Six Nations could not prevent the French in their Undertakings. That the English had lost Ground among the Indians in the Time of the last War. That altho' the English their Brethren shou'd supply them with Amunition and cloathing, they could not resist the French without a numerous Body of English Men that would and could fight. That the French were now about taking Possession of Ohio against the Will of the Six Nations, but they could not resist. That he was well assured that as soon as the French had Possession of Ohio and built Strong Houses there, they would send their Indian Allies against the Southern Indians in League with the English, to wit, the Catawbas, Cherokees, Cawidas, &ca, to force them the said Indians to sue for Peace, and to acknowledge Onontio for their Father, and so make himself Master of all the Indians and their Lands.

" I was told the same by Kanadakayon, another Chief of the Mohocks.

" Coll. Johnson shewed me his Commission and Instruction, which he had from the Governor of New York under the Broad Seal of that Government. I judged thereby that he did not want my Company, because he never asked me to go with him, or proceed on my Journey. I had told him before that I had set out from Philadelphia to go to Onondago by Governor Hamilton's Order, but as he had such a Commission (having been informed by the Way) I thought my Journey to Onondago would be needless. He said he left it to me, but I perceived some Coolness in him as to my going; I thought it was best not to proceed any further at this time, but to return.

" The Coll. has been very kind to me, and entertained me and my Son very handsomely during my Stay, and was open and free in all Discourses to me, and would have me to change now and then a Letter with him, and whenever I came to the Mohocks Country to make his House my Home, and offered to do all the Service to the Province of Pennsylvania and myself that he possibly could in Indians Affairs.

" August 14th.—Took my Leave of Col. Johnson and arrived in Schnecktedy.

"15th.—Arrived in Albany, where I was informed that a Letter from his Excellency Governor Clinton to me was sent Yesterday to Schnecktedy after me by one Thomas Orman, who happened to be the same Person that brought me just then to Albany in his Waggon; he was called to an account for it immediately, he said that the Letter must be in his Coat Pocket, which he left at home; he promised to bring it to Albany the next Day early in the morning; I told him I would not pay him till he brought the Letter, but he did not bring it, it was judged that he lost it.

"18th.—I left Albany, arrived in New York on the twenty-third in the Night.

"24th.—Waited on Edward Holland, one of the Council, to know whether Governor Clinton was expected in Town. He did not know. I went to wait on Mr. Kennedy for the same Purpose, who told me that his Excellency was very ill, and he, Mr. Kennedy, would go to Flushing to-morrow to see him, and would inform his Excellency of my Return from the Mohowk's Country, and that he would be back again the same day.

"25th.—I waited on him again in the Evening, but Mr. Kennedy told me that all the Horses and Chairs over the River were employed and that he could get none, which prevented his going to Flushing.

"26th.—Being Sunday.

"27th.—I went to Flushing, on Long Island, seventeen Miles from New York, to wait on Governor Clinton—he happened to be from home but came in by one o'Clock. I paid him my Compliments at his Door—he called me in and asked me how far I had been, and signified to me that it was a wrong Step in me to proceed to Albany before I had his Directions. I asked Pardon and told him my Reason why I proceeded. His Excellency said it was well, he did not disapprove so much of my Proceeding as of my Son's not staying for an Answer. His Excellency seemed well enough pleased with my Return, and of my not proceeding to Onondago, and was pleased to tell me that he intended to be in New York next Wednesday, and would then have me to wait on him and take a Letter to Governor Hamilton, and so dismissed me, but would have me stay and eat a Bit of Victuals first, and ordered his Attendance accordingly to get it for me and my Companion. After Dinner I left Flushing and arrived in New York the same Evening.

"Aug^{t} 29th.—His Excellency arrived in New York in the Evening.

"30th.—By seven o'Clock a Packet of Letters directed to Governor Hamilton was sent to my Lodging by one of Governor Clinton's Attendance, who told my Landlord (I being gone to take a Walk and to inform myself if Governor Clinton came to Town last night) that his Excellency Governor Clinton wished me a good Journey to Pennsylvania, and desired to mention his Compliments to Governor Hamilton and deliver that Packet of Letters to him. I being not altogether pleased with this Message, went about nine o'Clock to the Governor's House in the Fort, and one Mr. Askue went up to tell the Governor that I wanted to see him and take my leave of him. Mr. Askue came down again and told me that the Governor sent his Compliments to me and wished me a good Journey to Philadelphia, and desired I would mention his Compliments to Governor Hamilton. I left New York the same Day by Twelve o'clock and arrived in Philadelphia on the second Day of September by Seven o'clock in the Morning.

"Conrad Weiser, Interpreter.

"Dated in Philadelphia the 2d September, 1753.

"P. S—Before I left Albany I desired the Favour of Mr. Ogilvie the English Minister, an Acquaintance of mine, that if Governor Clinton's Letter to me directed should be sent back to Albany from Schnechtendy or the Mohawk's Country, to send it after me to New York or Philadelphia, which Mr. Ogilvie accordingly did, and it was delivered to my Son by Mr. Alexander Colden, Deputy Post Master in New York."

Lords of Trade to the Earl of Holdernesse.

[New-York Entries, O. P., 311.]

To the Right Hon^ble^ the Earl of Holdernesse One of His Majesty's Principal Secretaries of State.

My Lord,

We have lately received from the Hon^ble^ George Clinton Esq: His Majesty's late Governor of New York some minutes of the proceedings between him and a deputation of the Mohawks Indians one of the Six Nations at the City of New York in June last, upon occasion of several Complaints made by the said Indians.

It appears from these minutes, that the answers given to these complaints were not satisfactory and that the Indians went away hastily from the Conference expressing great resentment and declaring they considered the alliance and friendship between them and the Province of New York to be disolved

As this affair appears to us to be of a very serious nature and may be attended with very bad consequences at this conjuncture, We think it our duty to lay before your Lordship the inclosed copy of the said minutes together with the copy of a letter we have sent to S^r^ Danvers Osborn upon this Occasion.

The chief object of this letter is to recommend to Sir Danvers Osborn to hold an interview with the Indians of the Six Nations as soon as possible and as it has been usual upon former occasions when an interview has been held with the Indians for the other Neighbouring Governments whose security and interest depends upon and is connected with them to send Commissioners to such interview, we have written to the Governors of such Provinces as are immediately interested in the preservation of the friendship of the Indians directing them to recommend to the Assembly's to make provision for sending Commissioner to assist in and to be parties to this interview

We are
My Lord
Your Lordships
Most obedient &^c^
most humble Servants
DUNK HALIFAX
J. GRENVILLE
DUPPLIN

Whitehall
Sept: 18. 1753.

Lords of Trade to Sir Danvers Osborne.

[New-York Entries, O. P., 301.]

To Sir Danvers Osborne Bart: Governor of New York.

Sir

A few days after you sailed from Portsmouth, We received a letter from Mr Clinton enclosing Minutes of the Proceedings between him and a Deputation of the Mohawk Indians at Fort George in the City of New York in June last, with the Journals of the Assembly then sitting

You will without doubt upon your arrival be fully informed of the particular circumstances of this affair the resentment express'd by the Indians and the abrupt and hasty manner in which they went away; and tho' from the confidence we have of your vigilant attention to whatsoever may concern your Government, we are perswaded you will not have failed to have taken every necessary and prudent measure to obviate the fatal Consequences which might attend this affair Yet we think it no less Our duty to embrace the first opportunity of writing our sentiments to you upon it, and of pointing out to you what appears to us necessary to be done.

When we consider of how great consequence the friendship and alliance of the Six Nations is to all His Majesty's Colonies and Plantations in America in General as well as to New York in particular when we consider that this friendship and alliance is only to be gain'd and preserved by making presents to them at proper times and upon proper occasions and by an inviolable observance of all our engagements with them and when we recollect the attempts which have lately been made to withdraw them from the British interest We cannot but be greatly concern'd and surprized that the Province of New York should have been so inattentive to the general interest of His Majesty's subjects in America, as well as to their own particular security as to have given occasion to the Complaints made by the Indians but we are still more surprized at the manner in which these complaints were received the dissatisfactory answers given to the Indians and at their being suffered to depart (tho' the Assembly was then sitting) without any measures taken to bring them to temper, or to redress their Complaints.

This being the light in which we see this affair we think it for his Majesty's Service that you should take the very first opportunity of representing to the Council and Assembly in the strongest manner of how great importance it is to the Province of New York to preserve the friendship and affections of the Indians and the fatal consequences which must inevitably follow from a neglect of them; that you should press them to join with and support you in every measure you shall find it necessary to pursue in order to fix them in the British interest more especially by making proper provision for presents for them which join'd to the presents allowed by His Majesty and which you will receive by this conveyance may serve to facilitate this great end, and to wipe away all remembrance of that neglect the Indians now complain.

As a speedy interview with the Indians is from their present disposition become more necessary You will no doubt think it proper to advise with the Council as to the time and place of meeting the Indians in which points we trust you will have a due regard to their convenience and as it appears from their complaints that Albany which has been the usual place of meeting is obnoxious to them You will if you find sufficient foundation for the Complaint appoint some other place you shall upon enquiry think more for their ease and satisfaction and we observe from a report of the Council and Assembly to Mr Clinton that Onondago is proposed as the most proper place We likewise hope that in the choice of the

persons who are to attend and assist you in that Interview You will have a regard to such as are best acquainted with the Indians and their Affairs, and not obnoxious to them and as a great deal depends upon the Interpreters, we desire you will be particularly careful to appoint such as are well acquainted with the Indian Language and men of ability and integrity

We hope that the threats of the Mohawk Indians when they left New York have not been carried into execution but think it of absolute necessity in order to obviate any ill consequences which might attend these threats that some person of character and discretion should be immediately sent amongst the Indians to acquaint them of your arrival, of the presents His Majesty has ordered to be delivered to them and of your intentions of holding an interview with them for burying the Hatchet and renewing the Covenant Chain that this person should be carefully instructed to endeavour to remove any prejudices which the Six Nations may have imbibed from the representations of the Mohawks to obviate the ill effects that would attend a general discontent amongst them at so critical a conjuncture and to put them upon their guard against any attempts which may be made to withdraw them from his Majesty's interest and that nothing may be wanting to convince the Indians of the sincerity of Our intentions you will do well to examine into the complaints they have made of being defrauded of their lands, to take all proper and legal methods to redress their complaints and to gratify them by reasonable purchases, or in such other manner as you shall find most proper and agreable to them for such lands as have been unwarrantably taken from them for such other as they may have a desire to dispose of and we recommend it to you to be particularly carefull for the future, that you do not make grants to any persons whatsoever of lands purchased by them of the Indians upon their own accounts such practice having been found in a Neighbouring Government to be attended with great mischief and inconvenience but when the Indians are disposed to sell any of their lands the purchase ought to be made in His Majesty's name and at the publick charge.

As we find it has been usual upon former occasions when an interview has been held with the Indians for the other Neighbouring Governments in alliance with them to send Commissioners to be joined with those of New York and as the present wavering disposition of the Indians equally affect several other Provinces we have wrote to the Governors of Virginia Pensylvania Maryland New Hampshire Massachusets Bay and New Jersey desiring them to represent to their respective Assemblies the utility and necessity of this measure and to urge them to make proper provision for it, and therefore it will be necessary that when you have settled the time and Place of meeting you should give them early notice of it and this leads us to recommend one thing more to your attention and that is to take care that all the Provinces be (if practicable) comprized in one general Treaty to be made in his Majesty's name it appearing to us that the practice of each Province making a separate Treaty for itself in its own name is very improper and may be attended with great inconveniency to His Majesty's service. So we bid you heartily farewell and are

Your very loving Friends
and humble Servants
Dunk Halifax
J. Grenville
Dupplin

Whitehall
Sept: 18. 1753.

Lords of Trade to the Governors in America.

[Plantations General, (B. T.) XLIII., 337.]

.Circular Letter to the Governors of Plantations. Interview with the 6 Nations 18 Sept. 1753.

To Jonathan Belcher Esquire Governor of New Jersey.

Sir.

His Majesty having been pleased to order a sum of money to be issued for presents to the Six Nations of Indians and to direct his Governor of New York to hold an interview with them, for delivering those presents, for burying the hatchet, and for renewing the Covenant Chain with them; we think it our duty to acquaint you therewith, and as we find it has been usual upon former occasions when an interview has been held with those Indians, for all His Majesty's Colonies whose interest and security is connected with & depends upon them, to join in such interview, and as the present disposition of those Indians & the attempts which have been made to withdraw them from the British interest, appears to us to make such a general interview more particularly necessary at this time; we desire you will lay this matter before the Council and General Assembly of the Province under your government and recommend to them forthwith to make a proper provision for appointing Commissioners, to be joined with those of the other Governments, for renewing the Covenant Chain with the Six Nations, and for making such presents to them as has been usual upon the like occasions. And we desire that in the Choice and nomination of the Commissioners, you will take care that they are men of Character ability and integrity, and well acquainted with Indian Affairs.

As to the time and place of meeting it is left to the Governor of New York to fix it, and he has orders to give you early notice of it. We are, Sir

Your very loving friends

and humble Servants

DUNK HALIFAX
JAM: GRENVILLE.
DUPPLIN.

Whitehall
Septemb: 18. 1753

A like letter was sent to the Governors of Virginia, Massachusets, New Hampshire, Maryland, and Pênsylvania.

Thomas Pownall, Esq., to the Lords of Trade.

[New-York Papers, II., No. 78.]

New York Oct 14. 1753

My Lords

It is my misfortune to acquaint your Lordships that after a very fortunate and safe passage in His Mâtys Ship the Arundel Captn Lloyd and after Sir Danvers Osborns Commission was

published here on the tenth of this month with the greatest joy and satisfaction both of private People and the publick that can be conceived all that joy was turned into the deepest sorrow that I ever yet saw or felt by his Excellencys sudden death on Friday morning the twelfth of this Instant the authentick particulars of which your Lordships will receive by the first conveyance as his Honor the Lieutenant Governor with the advice of Council has appointed a committee of council to enquire into it

As soon as His Excellencys death was known the Council of this Province was convened and I sent for to produce the Commission which I carryed and delivered to the Council in the Council Room. Mr Chief Justice Delancey produced in Council a Commission appointing him Lieutenant Governor and he qualifying took upon him the administration accordingly. The Council asked me where were the Instructions & required me to deliver them to the Council I answered that they were at present in my custody that they were directed to Sr Danvers Osborn only as Captn General and that they could no belong to that branch of the Government ye Council otherwise than as they were Communicated from the Commandr in Cheif and that therefore I could not be justified in delivering them to the Council and accordingly I refused to do it. It was observed that the Commission recited that it was to be executed together with the Instructions delivered with it I said that could be by only the Commander in Cheif and not the Council and that if his honor the Lt Governor and Council would make an order of Council to that purpose, I would deliver them to the Lieutenant Govr as Commander in Cheif which order they made and I delivered the general Instructions accordingly to his Honor the Lt Governor in Council. I have the Honor my Lords to enclose an attested copy of the presidents of what was done before and the order of Council on the present occasion

My Lords may I beg leave to add my private reasons for refusing to deliver the Instructions to the Council they are not required to put them in execution and would not therefore be at all answerable for their execution The Commander in Cheif to whom I have delivered them is

The Instructions relateing to Trade are amongst Sr Danvers Osborns papers that I have sealed up and put into the Custody of Mr Murray under my seal I do not yet know whether there are any Instructions of a more private import if there were, I have not yet mett with them but suspect they are some way or other destroyed as His Excellency burnt almost all his papers the night before his death. If there do prove to be any such that ought not to be delivered up Your Lordships may depend upon me that they shall not, being private Secretary to Sr Danvers Osborn—I have the honor to subscribe myself My Lords

Your Lordships mo obt Servt

T Pownall.

Lieutenant-Governor Delancey to the Lords of Trade.

[New-York Papers, II., No. 72.]

New York 15th Octr 1753

My Lords

I have a very melancholy account to write to your Lordships. Sir Danvers Osborne our late Governor published His Matys Commission to him on Wednesday the tenth Instant amidts the

greatest acclamations of the People and the sincerest demonstrations of Joy that were ever known on any occasion here We had justly entertained the best grounded Hopes & expectations of being a happy people under the administration of a Gentleman of Birth, good education and most amiable Character; But alas this great Joy was too soon succeeded by the deepest and most unfeigned sorrow, for on friday the 12th about seven of the Clock in the morning he was found in the lower part of Mr Murrays Garden (at whose house he lodged till the Fort was fitted up for his Reception) strangled in his Handkercheif. It was observable that altho' he expressed his sense of the peoples joy upon his accession to the Government in the most engaging manner, yet he never shewed any cheerfulness, but appeared with a sedate and melancholy Countenance, complaings of a great indisposition of body & disturbance of mind, which could not be diverted My Lords I most sincerly condole this unhappy event which has filled the eyes of all persons here with Tears. On Wednesday the tenth instant the Honorable George Clinton Esqre then Governor (before Sir Danvers Osborne opened his Commission) delivered to me in Council his Majestys Commission appointing me Lieutenant Governor, together with an extract of a Letter from His Grace the Duke of Newcastle herewith enclosed, and on friday the twelth after the surprising death of Sir Danvers Osborn—I was qualified as Lieutenant Governor and published the Commission in a private manner attended only by the Members of the Council & the officer of the Guard, the unhappy event of Sir Danvers Osborn's sudden death forbidding any thing more public. After which I appointed Mr Alexander the eldest councillor present, Mr Chambers second justice of the Supream Court and Mr Holland Mayor of this City, Members of His Majestys Council to be a Committee to examine into the means by which the late Sir Danvers Osborn came to his Death As soon as the examinations are taken I shall transmitt them to your Lordships

I am

My Lords

Your Lordships

most obedient and

most humble Servant

JAMES DELANCEY

Inclosed is the order to secure Sir Danvers's effects and an attested copy of the Inquisition before the Coroner

To the Right Honble the Lords of Trade &c

Mr. Pownall to the Lords of Trade.

[New-York Papers, II. 82.]

New York Oct 30th 1753

My Lords

I sent yr Lordships an Account of Sir Danvers Osborns death (by the very first ship that I could hear was to sail from this continent) on the 14 of this Month by way of

Philadelphia, duplicates of which I sent on the same day to Boston & an other from this Port by the first vessel that sailed from hence on the 25th of this month

The Printer having sent me as Secretary to Sr D. O. a copy of the Votes & Proceedings of the General Assmbly I have as I know it is your Lordships directions that these things be sent to you, taken the liberty to transmitt them to your Lordships'

My Lords in pursuance of a Resolution of the Council & Assembly at a free conference, Die Sabbati 9. o. Ant. Merid. 30 June 1753. Coll Johnson mett the six Nations this summer at a General meeting at Onondaga. A Report of which meeting he sent down to Mr Clinton, who sent it directly to Sir Danvers Osborne a Copy of which I have the honor to transmitt to your Lordship's as also the account that Dr Shuckburgh, who is referred to in Coll Johnsons letter sent me this morning. Who as he attended Coll Johnson only as a friend and companion, not as one employed in the Service does not choose at present to be more particular there are many other matters of Intelligence—That he beggs to refer to the Time of Coll Johnsons coming down to N York whom he expects this winter The true reason why he is afraid to be more particular, is on account of the violent parties that subsist here about the management of Indian affairs one party are for supporting Coll Johnson an other for throwing all the affairs of the Indians in the hands of the Commissaryes as the matter came to Sr Danvers Osborn I thought it my duty as his Secretary to transmitt them to your Lordships and as such I have the honor to subscribe myself My Lords

Your Ldps

most obet and

most humble Servt

T Pownall

Dr. Shuckburgh to Thomas Pownall, Esq.

[New-York Papers, II., No. 84.]

Memorandum

Of what passed while I accompanied Col Johnson among the confederate Nations of Indians their General meeting at Onondaga and likewise at Oswego being what fell in discourse from some of the Sachems of the different Castles without the ordinary Forms of Belts It is to be observed the Indians resumed of themselves the conversation the next day after the General Conference, whether they were afraid of being heard by some French men who were present at the meeting, or what other reason we could not assign why they did not say as much in Public the day before as I am now to relate Viz That the combin'd army of French and Indians that passed by Oswego this year in their way to Ohio, were in some measure dispersed, great part of the Indians particularly of the Six Nations, having left them being much disgusted with the arrogant behavior & proceedings of Monsieur Morang their commanding officer. That the Indians who returned back we surprised at the inactivity of the English and took on them to say that the imagined had the army proceeded compleat all Philadelphia & Virginia would have given up to them. We heard at Oswego that some Indians belonging to that party

had deserted Monsieur Morang and sold their Guns and some other Goods they had received from the French. Two English Prisoners of some figure were sent in Irons to Niagra in their way to Canada these were seen by the Indians who returned. That the Twightwies and twelve other Nations or Tribes had sent a large Belt of Wampum to the Six Nations to tell them that the French were coming suddenly upon them that the Axe hung over their Heads and they only waited to hear their opinion being unwilling as they were their Allies to undertake any thing against the French for fear of bringing them upon the Six Nations who have referred them to the Sennekas who lay nearest to them We have heard since that the Twightwees have submitted being unsupported and have been down to Canada to receive Presents from the French and what injunctions they may think fit to lay them under — Hère follows some few Remarks on the present State of the Six Nations By what we could learn among them not only the Twightwees but the Six Nations themselves are very backward to undertake any thing against French who are so enterprising as to intimidate all the Indians in these Parts. It may possibly in time make the whole British American Continent sensible that their Interests tho in different Colonies are not so incompatible but it may be necessary to unite their Endeavors at whatever expence to make as strong a party among the Indians against the French as they can in each Province The apprehensions of Danger, in time of Peace are too remote to be felt by People involved in Trade and business, but should a War break out it would be too late to wish matters had been preconcerted. Indian Affairs at present are managed merely by expedients there being no established Method of conducts them. They are divided among themselves by the continued artifices of the French & all I can say further is tho' inclined to us are afraid of them

Sir

Agreeable to your request I have sent you the above being the most I could recollect, & more, may be, might be thought officious in me who at present are no ways concerned in Provincial affairs If my worthy Friend Coll Johnson was on the spot it might be necessary to say more & might be thought more authentick as soon as he arrives shall acquaint you in the mean

I am

Your very humble St

New York Oct 30th 1753 R Shuckburgh

To

Thomas Pownal Esqre

Lieutenant-Governor Delancey to the Lords of Trade.

[New-York Papers, II., No. 85.]

Bowry near N York 2 Novr 1753

My Lords

I wrote of the fifteenth of October to your Lordships to give an account of the untimely death of his late Excellency Sir Danvers Osborn which I sent by the way of Philadelphia and

a duplicate I sent to town by my son to be forwarded by one of the first ships from hence to London. it was some time this summer proposed that Commissioners should be sent to Albany to have a conference with the Indian Nations and to deliver them the usual presents as Governor Clinton was indisposed and a New Governor soon expected: Upon my return from Albany from the River Circuit in June I repaired to Jamaica on Naussaw Island where the Assembly then sat, & hearing of the above proposal, I offered an other at a conference between the Council & Assembly on Indian affairs after having previously acquainted Governor Clinton with it who approved of it; which was that some proper person should be sent up to Onondaga to bury the Hatchett (a Ceremony used among the Indians at the conclusion of a War and which had been neglected) to quiet the minds of the Mohawks who were out of Temper occasioned by some disputes about Lands and to make a small Present to the five Nations and prepare them for a meeting early next summer at Albany: This proposal was agreed to and Coll William Johnson sent on that Service. Inclosed you have a copy of what was done. The Reasons I went upon were first, that I thought it would be for His Majestys Service that once in some years a person with a publick character and some small present should be sent up to Onondago which is the place of the General meeting of the five Nations and where they keep (as they express themselves) their Great Fire & the Tree to which one end of the Covenant Chain is fastened. Secondly I did not think any Commissioners to be sent to Albany could have that Weight among the Indians as the presence of the Governor, nor quiet their minds or remove the jealousies they had entertained and thirdly by this method there would be a larger present to be distributed y^e^ next year, which with proper management would have a good effect upon them—The other papers inclosed are addresses to me on my advancement to the Government and the speech I made to the Council and Assembly. I was advised by the Council to lay the thirty ninth article of His Majestys Instructions to Sir Danvers Osborn before the Council and Assembly, which I did. I also laid before them the 47^th^ 48^th^ & 49^th^ Articles to be entered in their Registers with the 50^th^ by which I am directed so to do

I am
My Lords
most obedient & most
humble Servant
JAMES DELANCEY

The Right Honble the Lords Commissioners of Trade and Plantations

Colonel Johnson to Governor Clinton.

[New-York, (B. T.) XXXI, IL, 86.]

May it please Your Excellency.

I arrived three days ago from Onondaga, and agreable to your orders have transcribed what passed there between me and the Six Nations, which I take this opportunity (by Doctor Shuckburgh) to lay before your Excellency, together with what I said to the Mohawks and

their answer. I met some French men there & examined what pass they had from the Governor of Canada, which I found only allowed them to purchase ginseng for an established Company of Merchants, peculiar for that commodity. They told me there were above twenty sail of transports arrived in Canada this summer with people to settle towards Ohio, and that several more were expected at Mississipi, among whom they supposed there would be a number of Swiss. This being the most material, beg leave to refer you to the Docter for other occurrences. I am with the greatest respect, Your Excellencys most humble Servt

Mount Johnson
7br the 24th 1753.

Wm Johnson.

Governor Clinton

Copy examd
(signed) Gw. Banyar D. Cl Con.

Conference between the Mohawks and Colonel Johnson.

At a meeting of both Castles of the Mohawks at Mount Johnson July the 26th 1753.

Hendrick their Chief being appointed Speaker, spoke as follows—

Brother Warraghüyagey.

Though it is not usual for us to speak first went sent for, yet as our hearts are full we crave leave to throw of the burthen.

Brother on the receipt of your message two days ago we were highly rejoyced to think that you were again raised up, and impowered to receive and impart reciprocally the news between us and our bretheren the English. Thereupon we agreed without delay to come down to your house our late fire place, kindled at a troublesome time, even in war;—Where should we resort to when any thing lays heavy on our hearts, but where we have always found satisfaction whatever might trouble us. We have reason to be uneasy and had the Governor sent for us by the Commissrs whom we hear are appointed, we would not at this time harken or move a foot.

Gave a String of Wampum.

Here follows my Speech to both Castles of the Mohawks.

Bretheren and Friends

I congratulate you on your arrival from New York, and am glad to see you all well, and bid you welcome here, where your brother the Governor has impower'd me to light up a small fire again, so as to enable me to boyl a little victuals for you while the Conference lasts.

Bretheren. I am ordered by your brother the Governor to let you know that your behaviour & demands were very unreasonable and unusual while at New York, and that he and his Chief Men were much affected to find that you, whom they looked upon as most sincere friends, should use such loud and foul words, that almost shook and Soyled that firm and bright Chain made by our wise forefathers and continued by their posterity till now unsullied. I cannot help reproaching you for your unfriendly and rash behaviour, which put your brother the Governor and his great men in a very unsuitable disposition to redress grievances which were

they in ever so good temper, they then had not time to effect. Wherefore I am commissioned to tell you that what ever may make you uneasy you would defer till the arrivall of the New Governor who is shortly expected, and will have more time to hear all your complaints than the present, who is prepareing to return to England: that, and his want of health, has prevented him from meeting the Five Nations this Summer, as he intended, to renew the antient league between them and us, and quiet your minds. From thence it is that I am appointed by the government here to convene the Five Nations at Onnondaga to treat with them there, in the Governor's Name. Now as you and I have continued to consult each other in all affairs of consequence, I must desire you would join me in considering what are the most proper steps to be taken with regard to my going to the General Convention at Onnondaga. In the mean time I insist upon your living in harmony with us as usual, who have and ever will be your best friends, and conjure you by this Belt of Wampum that all differences that may have happened, to be stiffled, and that the link of that bright Chain which seemed to be loose may be as strongly connected as heretofore. Here the Belt was given.

Bretheren. I further expect that you will be ready with a proper number of Sachims and Chief Men to attend me thither, and also at the General Meeting.

Here a String of Wampum.

The answer of both Castles of the Mohawks to the foregoing Speech; spoke by Hendrick at Mount Johnson July 27, 1753.

Brother Warraghüyagey.

We have with willing ears heard what you said yesterday; it has made the deepest impression on our minds, and will never be forgot even by our youngest people whom we brought along to hear you once more. Tho' we are sensibly affected by our Bretherens neglecting us for some time past, and the private differences we have had with the inhabitants, yet for this time we agree to every thing you request, and shall bury all animosity and dispute in a deep pool, so as not to be thought of more, and hope there may never be reason for the like again: small provocations shall never weaken the Chain of friendship so long subsisting between us and our Bretheren, and you may be assured we shall take all opportunitys of signifying our attachments as we and our forefathers have done formerly.

Here a Belt was given.

Brother Warraghüyagey

You may depend upon our readiness at the first call to wait on you at Onondaga and assist you as much as in our power, at the General Meeting, having pitched upon some of our most intelligent and respectable men to attend you there.

Here a String of Wampum; & Ended.

September the 8th 1753. Entered the Onondaga Castle, being mett by the Sachims a mile on this side, who said they were all ready to receive me. Soon after I was seated, the Red Head, one of the Chief Sachims of that Castle rose up and Spoke as follows:—

Brother Warraghüyagey.

As you enter our meeting place with wett eyes and sorrowfull hearts in conjunction with our Bretheren the Mohawks, we do with this String of Wampum wipe away your tears and asswage Your grief, that you may speak freely in this Assembly.

Here they gave the String of Wampum.

Here follows what I said to the General Convention of the Six Nations at Onondaga spoke by Hendrick the Chief of the Mohawks.

Bretheren of the Six Nations.

The great concern I am under for the loss of our three great and beloved Brothers Caghniagarota, Onughsadego and Gahusquerowana, who in their time made your Assembly compleat, makes it incumbent on me to condole their death, and as it is a great loss to us in general, I do by these three Belts of Wampum dry up your tears that we may see each other, clear your throats that we may Speak together, and wash away their blood out of our sight, and cover their bones with these Strow'd Blankets

Here gave the three Belts of Wampum and three Blanketts of Strowd.

Bretheren of the Six Nations

I am now to acquaint you that the indisposition of the present Governor and the expectation of the sudden arrival of a new one, has occasioned the interview, proposed at Albany between you and him this summer, to be deferred, upon which I am commissioned to treat with you and at the same time to assure you that the succeeding Governor will meet you as soon as he conveniently can, with presents as usual. You will then have an opportunity of laying before him whatever is amiss, which will be redressed you may depend on, without any unnecessary delay; till then I expect all of you will live in perfect harmony with y^{r} Bretheren y^{e} English.

A Belt.

Bretheren of the Six Nations.

It grieves me sorely to find the road hither so grown up with weeds for want of being used, & your fire almost expiring at Onondaga, where it was agreed by the wisdom of our Ancestors that it should never be extinguished: You know it was a saying among us that when the Fire was out here, you would be no longer a people; I am now sent by Your Brother the Governor to clear the Road & make the fire with such wood as will never burn out, and I earnestly desire you would take care to keep it up, so as to be found always the same when he shall send among you. A Belt.

Bretheren of the Six Nations.

I have now renewed the Fire, swept clean all your rooms with a new White Wing, and leave it hanging near the Fire place, that you may use it for cleaning all dust dirt &^{c} which may have been brought in by Strangers, no friends to you or us.

A string of Wampum.

Bretheren of the Six Nations.

I am sorry to find on my arrival among you that the fine shady Tree which was planted by your forefathers for your ease and shelter, should be now leaning, being almost blown down by Northerly winds. I shall now endeavour to set it upright that it may flourish as formerly, while the roots spread abroad; so that when we sitt or stand on them you will feel them shake should any storms blow, then should you be ready to secure it. A Belt.

Bretheren of the Six Nations.

Your Fire now burns clearly at the old place, the Tree of Shelter and Protection is set up & flourishes; I must now insist upon your quenching that fire made with brambles at Swegachey, and recall those to their proper home who have deserted thither. I can not leave disswading you from going to Canada, the French are a delusive people, always endeavouring to divide you as much as they can, nor will they let slip any opportunity of making advantage of it. 'Tis formidable news we hear that the French & some Indians are making a descent upon Ohio: is it with your consent or leave that they proceed in this extraordinary manner, endeavouring by force of arms to dispossess your own native allies as well as your bretheren the English, and establishing themselves? A large Belt.

Bretheren of Onondaga.

I must remind you of a new Custom lately introduced, very inconvenient for our mutual interest, that is, when you receive news from the Westward Southward or any other quarter, you send it from one Castle to another, till it arrives quite altered from what it was at first. I therefore require you by this Belt of Wampum to follow the old custom & send it as far as you intend it should go directly by some of your own Nation. A Belt.

Bretheren of the Senecas.

As you have always been looked upon as the door of the Six Nations where all news, especially from the Westward and Southward must enter and go out, we dont hear this door open as we used to do formerly, and believe it to be worn out, & think it necessary to hang on a new one of such wood as will never decay; the noise of which when it opens should alarm all the Confederacy. I must now desire you that whatever you hear of consequence you would send it very distinctly to the Sachems of Onondaga who will send it directly to your Bretheren. I require also as you are nearest to the Western Tribes of Indians that you will endeavour all in your power to draw as many of them into our interest as possibly you can, by which means the Six Nations may continue their strength & credit.

A Belt.

Bretheren of Oneida

I am now to set up your stone strait and to rub off all moss and dirt it may have contracted this time past. My best advice is to have your Castles as near together as you conveniently can with the Tuscaroras who belong to You as Children and the Scanihaderadighroones lately come into your alliance or families, which makes it necessary for me to fix a new string to the Cradle which was hung up by your forefathers when they received the Tuscaroras, as you do now the Scanihaderadighroones, to feed and protect A Belt.

Bretheren of Cajuga

I could heartily wish that you would not live so scattering, and that you would not listen to the French who are a people you never had any alliance with or obligation to. It is agreeable news that you are about to strengthen your Castle by taking in the Tedarighroones, and shall, according to your request, give a pass to those of that Nation here among you that they and the rest of them may come and join your Castle unmolested A Belt and a Pass.

Brethren of the Six Nations.

You must imagine I was much troubled when immediately after my appointment to meet you at Onondaga, to renew and put in order every thing relating to your affairs, to hear that

some of your people were returned with scalp and prisoners from the Catabaws, with whom you made so solemn a peace last year in my presence, which pleased all your bretheren the English upon this Continent, the King your Father also approved of it. Now what an everlasting shame must it be to the Six Nations if this bloody affair be not immediately made up, if it be possible. I expect at least that you return the prisoners if any you have, and committ no further hostilities on that Nation. A Belt.

Bretheren of the Six Nations.

As I proceed to reform every thing relative to the Old Covenant between you and us, I must remind you on your part to hold fast by that strong Chain of friendship made by your forefathers, the memory of whose actions you have always regarded. You may depend upon the part in your hands that it shall never slip. I congratulate you in the name of your Brother the Governor on the two additional links to the Old Chain, the Scanihaderadighroones and Tedarrighroones, who without doubt must increase the strength of it. A Belt

Bretheren of the Six Nations.

I take this opportunity to return you the three Belts of Wampum sent by you to the Governor with a request to hinder the Rum from coming among You. He was very glad to gratifie you in it, and that you had seen the ill consequences of that bewitching liquor, and hopes you will continue in that resolution always. The proclamation forbidding Rum to be sent or sold any where among you (except at Oswego) is already published.

Here returned them their Three Belts.

Bretheren of the Six Nations.

I have now only to recommend what I have said in your Brother the Governor's name to your serious consideration, and when you are prepared to return an answer, I should be glad to hear it by the Lake where I am encamped and have a small present for you, and some provision for your Children.

The Red Head in behalf of the whole, stood up and replied thus:—

Brother Warraghüyagee

You may be assured we shall take to heart all your words and deliberate upon every article, and as it requires some time, you must not think it long if we do not come down to the Lake where you lay; as you expect to morrow it may be the next day, tho' we consider it cannot be agreeable to you to live in the woods; we shall make what dispatch we can

Parted for that day.

At a general Meeting of the Six Nations held at Onondaga September the 10th 1753.

The Answer of the Six Nations to the foregoing speech, by the Red Head, their Speaker.

Brother Warraghüyagee

We are obliged to you for your speech and act of Condolence for the loss of our three great Brothers Caghniagarota Onughsadego and Gahuscaroana; and we are the more affected as it was done conformable to our manner. We are too sensible of what consequence they were of

in this Assembly; to say more would be to exaggerate our concern, which we wish was entirely suppressed. A Belt.

Brother Warraghuyagee

We are sorry to hear our Brother the Governor is sick, and we thank you for giving us notice of the sudden arrival of a new one. We shall suspend some matters of consequence till then; some of which we shall mention in order as we proceed to aswer that part of your speech relative thereto. All of us will chearfully attend when he pleases to call, and are unalterable in our antient friendship with our brethren the English A Belt.

Brother Warraghüyagee.

We acknowledge with equal conscern with you that the Road between us has been obstructed and almost grown up with weeds, that our Fire is scattered and almost extinct. We return you our most hearty thanks for recruiting the Fire with such wood as will burn clear, and not go out, and we promise that we shall with the utmost care dress and keep it up, as we are sensible from what has been said by our forefathers that the neglect of it would be our ruin. A Belt.

Brother Warraghüyagee

We know very well the use of the White Wring you recommended and are determined to use it to sweep out whatever may hinder the Fire from burning with a pure flame. A String.

Brother Warraghüyagee

You may depend upon our care in defending the Tree which you have replanted from the inclemency of the high winds from Canada; we are full of acknowledgments for your care and admonition, and be assured we shall watch every threatning cloud from thence that we may be ready to prop it up. A Belt.

Brother Warraghüyagee

We rejoice that we see the Fire burn pure where it should do, the Tree of Shelter look strong & flourishing, and you may depend upon our quenching that false fire at Swegachey and doing all we can to recall our brothers, too often seduced that way; tho' we do not conceive we had done so much amiss in going thither, when we observe that you white people pray, and we have no nearer place to learn to pray and have our children baptized, than that. However as you insist upon it we will not go that way nor be any more divided. I I must now say it is not with our consent that the French have committed any hostilities at Ohio; we dont know what you Christians, English and French together, intend; we are so hemm'd in by both, that we have hardly a hunting place left. In a little while if we find a bear in a tree there will immediately appear an owner of the land to challenge the property, and hinder us from killing it, which is our livelyhood. We are so perplexed between both that we hardly know what to say or think A Belt.

Brother Warraghüyagee

In behalf of our Bretheren of this Castle of Onondaga I am to say that we shall hereafter transmit to our Bretheren the English, what ever we hear of consequence, invariable and directly, according to the old custom. A String.

Brother Warraghijyagee.

The Senekas do know themselves to be the Door of the Six Nations, and thank you for renewing it as we are sensible it was much wanted, and with such durable wood as will not rott. We shall be quick to hear when it opens, and shall communicate distinctly what news is passing, to our Brothers at Onondaga, in order to be dispatched to our bretheren the English; and shall be very sollicitous to invite all Nations to enter at that door, and shall endeavour to keep the Roads to it clear and open. A Belt.

Brother Warraghüyagee.

We thank you heartily for cleaning the Oneida Stone and setting it up right, and shall, agreeable to your advice collect our people together; also the Tuscaroras, be they scattered where they may, and the Scanihaderadighroons we do unite with us, a small party of whom are here present to hear you, and to take their share of our Brother the Governor's bounty. We also return thanks for the New String fixed to the Cradle, contrived by our forefathers to receive those new Bretheren we intend to norish and provide for. A String.

Brother Warraghüyagee

The Cajugas say they have not been more conversant with the French than the rest of the Six Nations; they will endeavour to keep themselves as compact as they can, and thank you for this intuition, being sensible it is for their own good. They also return you thanks for the pass you were pleased to give to the Tedarrighroones to come and unite with them to strengthen their Nation, three of whom are now here to partake in the name of their Nation of the intended present. A Belt.

Brother Warraghüyagee.

We are heartily conscerned with you that some of our people went out against the Catawbas, & hope you will not take it amiss if we do not give you a definitive answer upon that head at present. We can only desire your patience till the fighters are all home, there being very few here, when we shall in each Castle consult them and return an answer at the first meeting with the New Governor. This is in part what I proposed to suspend till his coming as I mentioned before I returned the Second Belt.

Brother Warraghüyagee.

You may depend upon whatever can be expected on our part to bring the Covenant Chain to its former brightness. It was high time, being almost eat thorough with rust for want of proper care and inspection. We are very glad you are pleased that we have connected thereto the Scanihaderadighroones and Tetarighroones, all of whom we daily expect among us. A Belt.

Brother Warraghuyagee

We return you a great many thanks for stopping the Rum coming to the Six Nations, and would be very glad the same prohibition would have effect at Oswego.

To the last I replied [he intended to continue his Speech] that could not be at present; likewise told them it would do great pleasure to the French while we were forbid to sell Rum at Oswego, they sold what they thought fitt at Niagara, a place which was forceably taken from them; I expected they would first hinder the French selling liquor there, before they proposed having it stopped at Oswego, especially as it is a place agreed on by all the Six Nations, to be

in the hands of the English as a general mart for all their necessities, as well as for the sundry wants of all the Indians to the Southward.

They replyed immediately by the same Speaker, they would go to Niagara and forbid the French selling any more Rum or spirituous liquors, and also said that they had not given that place to the French, but that they settled there without the consent of the Six Nations.

A Belt.

Brother Warraghuyagee.

We are pleased with every thing you have said, and return you a great many thanks for speaking in our own way, which is more intelligible to us, because more conformable to the Customs and Manners of our forefathers. We earnestly beg that if we call or send for you, or the Mohawks or the Senecas, that you will not neglect coming. We have often stretched out our necks, expecting to see you, but have been disappointed: We hope for the future you and they will always appear and attend the Meeting; as we expect a mutual correspondence, we shall not omitt sending all the news that arrives with us, and hope the same from you directly.

A Belt.

New York 2d November 1753. The preceeding Copies of two Conferences between Col. Johnson and the Six Nations of Indians, wrote on four Sheets of paper, besides this, are true Copies of their originals. Examd by me

(signed) Gw Banyar D. Cl. Con.

(Indorsed) "Recd with Mr Delancy's
"lrê of 2d Novr 1753."

Lieutenant-Governor Delancey to the Lords of Trade.

[New-York Papers, II., No. 91.]

New York 29th Nov 1753

My Lords

I wrote to your Ldps before that I had appointed a Committee of the Council to inquire into the means of His late Excellency Sir Danvers Osborn's death, two days ago I received Copies of the depositions taken on that head, wch are here inclosed

The tenth Instant I received a letter directed to Sir Danvers Osborn Captn Genl &c of New York or in his absence to the Commander in Cheif from the Earl of Holderness dated at Whitehall the 28th of August last giving an account that His Majesty had received information of the March of a considerable number of Indians supported by some regular Troops intending to commit some hostilities on parts of his Majestys Dominions or erect Forts on His Majestys Lands in America and that it was His Majestys pleasure, in case the subjects of any foreign Prince or State should make any encroachmt on the Limitts of His Majestys Dominions I should use my endeavors (after due requisition to them to desist) to repell Force by Force and in case I should be informed by any of His Majestys Governors of any hostile attempts made on their Governments I should call the Assembly and lay before them the necessity of

mutual Assistance. This letter I immediately communicated to the Council and with their advice laid before the Assembly then sitting upon which they came to the Resolution of which I here inclosed a copy

On the twenty fourth instant I received a letter from L^{t} Holland commanding officer at Oswego by which it appears if the information he has received be true that the designs of the French on the River Ohio have proved abortive, but that they intend to renew their attempts next year, which the probably will unless the difficulties which they may apprehend in the execution of their project should deter them—The French building Forts and making settlements on the River Ohio (which they call belle Riviere) will be of infinite bad consequence to His Majestys Dominions in America as that River is much nearer to the back Settlements than the Course they used to take through the Lakes they will more easily make incursions into the British Settlements being nearer at hand and having a place of retreat and security; They will intercept the Indian Trade and of course draw the Indians into a greater dependance on them than is consistent with the safety of His Majestys in North America. If the French have Forts at proper places on the River Ohio, Pensilvania and Virginia will find in an other War that they will prove as sharp Thorns in their sides as Fort St Frederick at Crown Point is to Massachusetts Bay & New York I would therefore humbly propose it as my opinion that a Fort & Trading House to which the Indians might resort for traffick be built and garrisoned on some convenient part of the Ohio within the Province of Pensylvania, and another in Virginia if not already done, this will prevent the French being masters of that River, M^{r} Penn can not I think even in regard to his own Interest, be at too great an expence to secure some good Post on that River, where the advantages which the Indians will find in their Trade will allure them and secure their Friendship; for I must observe that the greater benefits which the Indians reap from their trade with His Majestys Subjects than with the French, seems to me the strongest Tye by which we hold them. The same may be said with respect to one or more Forts and trading Houses on the Ohio in Virginia. I enclose the extract of the letter from Lieutenant Holland commanding officer at Oswego

I transmitt to your Ldps at the desire of the Committee & Commissioners their Representation & copies of the necessary papers referred to therein that your Ldps may be informed of the Objections which they think may with good reason be made to the Line Governor Wentworth points out to be fixed as the boundary between this and the Province of New Hampshire. As the Soil in controversy between this Province & New Hampshire except what has been already granted, is in His Majesty, who may fix the Line between the two Provinces where he pleases, the controversy being not of a right but of a conveniency I shall when I shall have been able to make a full inquiry into all circumstances relating to the Line, humbly offer my opinion with the reasons, how and in what manner the Line ought to be settled with regard to His Matys Service and the Strength and Defence of the Provinces against the French

I am

My Lords

Your Lordships

most obedient & most

humble Servant

James De Lancey

To the Right Hônble The Lords Commissioners of Trades & Plantations

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, II., No. 107.]

New York 24th Dec 1753

My Lords

I received your Lordships letter of the eighteenth of Septr last directed to his late Excellency Sr Danvers Osborn together with the inclosed letters (referred to in that of your Lordships) to the Governors of Virginia, Maryland, Pensylvania, New Jersey, New Hampshire and the Massachusetts Bay which I have sent forward according to their several directions, with that Paragraph of your Lordships letter relating to the Interview to be held with the Indians next summer, which I had acquainted them I had appointed to be at Albany on the fourteenth of June next that being the most proper and the usual place of holding General Conferences with the Indians and where they have had a Fire burning from the earliest settlement of this Country and is a place of the greatest consequence to the defense of these Counties being situated on the highest part of Hudsons River which is navigable for vessells of any considerable Burthen, and thro' which all the intercourse between Schenectady a Town sixteen miles distance to the Westward and the Western Settlements is carried on with New York, so that if Albany should be taken by the French Schenectady and all the Western Settlements must be lost as thereby as communication with them will be cut off, whereas whilest we are Masters of the City of Albany, we can always rendezvous such a body of Men well supplied with all necessaries by Water, from this and the neighbouring Governments, as will be able to drive the French from any conquests they can make to the Westward of that Place and nothing can more endanger the loss of that place, than a dislike of the Indians to it and a carelessness for its defence, in case it should be attacked, and this carelessness I am afraid has been too much the practice of the People of Schenectady, and those to the Westward to infuse into them, without considering how much they endanger their own safety when they are endeavouring only the advantages of some triffling gain by stopping the Indians to trade with them, without going down to Albany. The Rout the French take from Fort St Frederick at Crown Point to make inroads on the Massachusetts Bay or this Province is generally by the Wood Creek or Lake St Sacrament, the turn to the Eastward into the Massachusetts Bay, & come down Southward and westward into this Province and the last War within sight of the Town of Albany, and in numbers after the Saraghtoga Fort was abandoned the Indians by coming down to Albany upon all their publick Business, and applications to the Government here contract habitudes & acquire friendships with some of the Inhabitants a kind of rights of Hospitality and if treated with any kind of prudence will always be willing and ready to protect and defend the place, where they have so long had a fire burning, and I hope at the next interview the Covenant Chain will be made as bright as ever, as to Onondago your Lordships will have received by my former letters my thoughts on that head, it has been the Custom for the Governor of this Province every other year to meet the Indians at Albany, if in the intermediate year some proper person with a small present were sent to Onondaga as it were to visit them, and furnish them with some arms & ammunition at that place just before the hunting season, I am apt to beleive it would have a good effect among them, Thus much to the place of Meeting, as to the choice of persons who are to attend, I have appointd such a time as I shall have the assistance of three of his Majestys Council who will then be on the Circuit. Coll Johnson lives in the County

and I shall get as many more as I can as to the Interpreter he is very meauly qualified for that employment, and herein will be a difficulty as I know not of any one fitt for that Service in this Province if one can be found he shall be employed, if not we must beg the Assistance of the Pensilvania Interpreter who officiated at the last interview Governor Clinton had with the Indians, as to the dissatisfaction of the Mohawk Indians it arose cheifly from a contest about Lands, and they have made application to me to grant a Parcel of Lands to certain Germans that lived near them, and one Macgin says he had purchased from them and for whom they will not suffer them to be surveyed. I had already sent a Message to them before the Receipt of your Lordships Letter, that there should be a meeting with them early next year that the Lands should not be granted, till their complaints were heard and that they should have justice done them I hope to be able to give them full satisfaction by compromising the dispute between the Germans & Macgin for I am informed by one of the partners in the purchase that Governor Clinton was to have had one third part of the Lands, which he supposed I would now take as L^{t} Governor that being as he said the Custom, Now I suppose if that part be offered to the Germans and they accept of it, this will put an end to the dispute without any further disquietude, As to any future contentions about Lands with the Indians, I apprehend the Method prescribed by His Majestys Instructions to his late Excellency Sir Danvers Osborn for the passing of Lands, if duly attended to will effectually prevent them. The Assembly here had passed a Bill for paying the Salarys of the Officers of the Government in which they had given to me the same Salary as they had done to Governor Clinton, which I told the members of His Majestys Council I could not pass as being inconsistent with His Majestys Instructions and they being of the same opinion rejected the Bill, after which as it was necessary some provision should be made for Indian presents to be given at the next interview, I laid a Copy of your Lordships letter before them upon which they came to the Resolution of which I enclose the copy, so that there will be sufficient provision for Indian presents, that part from the Board of Ordnance, except 239 in part of 400 Fuzees being come the rest are to be sent by the first opportunity, and the Presents purchased by M^{r} Milliquet Sir Danvers Osborns agent are also come and in the hands of his Administrators. I expect directions from your Lordships in relation to them, I must beg the favor of your Ldps pardon for any omissions I may be guilty of, your Lordships will be pleased to consider the Course of my Education has lain towards the Law, long Study and use had made the duty of Cheif Justice familiar to me, this is a new scene to which I have for some time been a stranger I shall endeavor to give your Lordships satisfaction in it, This you may be assured of I shall never give your Lordships any wrong impressions I may be deceived but I shall never impose any thing for a truth of which I am not myself convinced, I shall make it my business now the hurry of affairs is somewhat at an end by the recess of the Assembly to state to your Lordships the controversy this Province or rather His Majesty has with the Jerseys I shall only give a hint of it now, for it is not possible to give your Lordships a clear conception of it without Draughts—There was a Line (antecedent to that which the Jersey Proprietors now contend for) which was esteemed the Jersey Line and upon this Line were the New York Patents of Wawayanda, Minisink and other bounded so that they can not be extended further Southward, and if Jersey does not extend further up Delaware River than to the Northern Branch which is the Terminus ad quem and is in my humble opinion the genuine construction of the Grant from the Duke of York then all that large intermediate Triangle is still in the Crown and the Jersey Proprietors are only intruders on the King, and out of all these Lands

there may a Quit Rent be reserved to His Majesty which will be a very considerable addition to His Majestys Revenue without depriving the Proprietors of their possessions and which [His] Majesty may either annex to this Government or leave to Jersey there is a committee of the Council and Commissioners for that with the Massachusetts Bay that of New Hampshire. I have already mentioned to your Lordships the account of the proceedings of the Assembly and Indian affairs will furnish me with work enough, whilst I have the honor to continue in this station one Request I have to make to your Lordships that you would be pleased to recommend me to His Maty that I may when His Majesty shall think it for his service to supersede me as L^{t} Governor, I may return back to the exercise of my office as Cheif Justice, in which (as your Lordships may observe from the address of the Judges, Attorney General, and the Practitioners of the Supreem Court) I have gained some credit, an office which I could discharge without that anxiety, wch this new scene brings upon me. My Lords I have been addressed by the Ministers Elders and Deacons of the Dutch Church in this city to recommend their act to your Ldps that it may be laid before His Majesty for his Royal approbation, they have some Pieces of Ground in this City, that are leased out on Ground Rents on which the buildings are mean, these they intend to purchase in and build good houses in their stead, which will encrease their income, and enable them to maintain their Ministers in a better manner than they now do I recommend them to your Ldps as a loyal people, that detest the pope and the Pretender most cordially.

I am

My Lords

Your Lordships

most obedient & most

humble Servant

JAMES DE LANCEY

To

The Right Honorable

The Lords Commissioners

of Trade & Plantations

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, II., No. 109.]

New York 3^{d} Jan^{ry} 1754

My Lords

I wrote to your Lordships of the 24 December acquainting you that I had ordered a Message to be sent from the Commissioners for Indian affairs at Albany to the Six Nations I inclose the answer brought by the Interpreter to Albany from three of those Nations I shall by the Post which goes to Albany this week direct a Message to be sent to the Indians to let them know that I have appointed the 17th of next June to have an interview with them at Albany, when & where they shall receive the presents intended them

I must intreat your Lordships directions, how I am to act in case the Assembly should insist on not giving the money for Indian Presents but in the same Bill with the Salaries of the officers of the Governm[t] which has been the method used here for some time past and that only annual and which they would not vary from in M[r] Clintons Administration but stood two or three Dissolutions without giving up the Point: and as this method is not agreeable to His Majestys Instructions I shall not on any consideration of advantage to myself fall in with them in it, without express permission: but shall only recommend to them the making a distinct provision for that Service, which I conceave I may accept of, if I mistake I beg your Lordships to set me right. In this last Session of Assembly, I gave my assent *with the advice of the Council to fifteen* Acts, which are now transmitted to your Lordships, none of which need any particular observations to your Lordships, but the two last, to wit, the act for granting to His Majesty the several duties and impositions on Goods Wares & Merchandizes imported into this Colony therein mentioned The Duties are the same as have been many years in the former acts for support of Government, the principal difference is that this Assembly appoint no officers, but the money arising from the Duties is given to the King and lodged in the Treasury until appropriated to some future Act or acts; All the Council present (except M[r] Kennedy) were of opinion to pass the Bill, as without those duties there would not be money in the Treasury for Indian Presents, Fortifications or other Emergencies, I was myself also of the same opinion conceiving it for His Majestys Service that the monies should be coming in and that the contention about the disposal should be left to some other time. The other is an Act, to revive an Act entituled an Act to regulate the Militia of this Colony, this is a Law so necessary in this Country, which lies open to the French that I made a point of it and had it carried though the House was generally averse to it, for the same reasons, [they] would not pass the Bill in the latter part of M[r] Clintons administration which was that he had made Collonells & other officers in the militia in most counties that were generally distasteful to the Assembly men and to a great Majority of the Freeholders

I transmitt to your Lordships an address from the Assembly to His Majesty according to their desire to be laid before His Majesty — They have also prepared a Representation to be transmitted to your Lordships, but as I was informed that it contained many things by way of Reprizals against M[r] Clinton, I told a friend from whom I had the information that I would choose it should go in an other Channell and not through my hands; they have sent it to M[r] Chorles the Agent to be laid before your Lordships

I have said before that M[r] Clinton had dissolved the Assembly several times in order to bring them into the ancient method of supporting the Government, which was as to what I remember since I came from England in the year 1725 for some part of Governor Burnets administration for five years some part for three, in Governor Montgomeries, for five, in Governor Cosby's for five, to whom succeeded M[r] Clark who was made Lieutenant Governor, who took up with an annual Salary after the first year of 1300, Governor Clinton then came in and took up with the annual Salary of £1560 for some years successively, he then upon some dissatisfaction with the Assembly tryed to have the support in the former way but could not obtain it by the rougher method of Dissolutions, I have tryed the softest methods I could, but to as little purpose, The principal members frankly told me, I might dissolve them as often as I pleased, as long as they were chosen (which I hear most of them would be again if dissolved on that point) they would never give it up. What they would come into was, first not to meddle with the executive part of the Government, which I had convinced them was an encroachment on

His Majestys Prerogative, the Executive Power being solely in the Crown & Secondly that all monies should be drawn out of the Treasury by Warrants signed by the Governor or Commander in Cheif with the advice of the Council excepting only the Agents Salary and their Clerks & Door Keepers allowance

If it should be His Majestys pleasure, that I may pass the Act for the payment of the Salaries and Services of the Government in the same form as has been done by M^{r} Clark Lieutenant Governor here & since by M^{r} Clinton Governor, I think there will be an end of contention in this Province and I make no doubt the Assembly will be willing to make provision for building New Forts in proper places & repairing the old Fortifications, so that your Lordships will not be much troubled with complaints from this quarter and yet this point of support for an indeffinite time may be left open to any Captain General, & Governor in Cheif, this Bill having been passed only by a Lt Governor, which is an inferior character I submit this to your Lordships judgements & shall wait your directions

I am
My Lords
Your Lordships
most obedient &
most humble Servant
JAMES DE LANCEY

To the Right Hônble
The Lords Commissioners
for Trade

Minute of Commissioners of Indian Affairs.

[New-York Papers, II., 110.]

At a Board of Commissioners met at Rob^{t} Lutteridges. Dec. 18th 1753

PRESENT—	The Mayor.	Cor Cuyler.
	Recorder.	John Beekman.
	Coll Mynd: Schuyler.	Jac, C, Ten Eyck.

M^{r} Stephens the Interpreter returned here having delivered the Message of 28 ultimo from this Board to both castles of Mohawks Oneidoes and Tuscaroras, where he met with a trusty Onondago who promised to send an express immediately to the Rest of the Six Nations. That all the Indians which he had seen appeared very well pleased with the Message and returned thanks to the Commissioners, on his return to Conajoharie, a String of Wampum was given to him by Hendrick in presence of several Sachams who said they were also very well satisfied that the Governor was a native of this Country, as such he knew well the advantages of an Alliance with the Six Nations; and that as there were now several Commissioners hoped their affairs would be better managed than by one Person

A true Copy ALEX COLHOUN
Dep^{ty} Sêcry.

Governor Shirley to the Earl of Holdernesse.

[Governors and Commanders of North America. (S. P. O.) No. 67.]

Boston 7. January 1754.

My Lord

I have the honour of Your Lordship's letter dated 28th August last, signifying to me, "that "His Majty had received information of the march of a considerable Number of Indians, not in "his alliance, supported by some Regular European Troops, intending, as was apprehended, to "commit some hostilities on parts of His Majty's dominions in America, and directing me to use "my utmost diligence to learn how far the same may be well grounded, and to put me "upon my guard, that I may at all events be in a condition to resist any hostile attempts, that "may be made upon any parts of His Majesty's dominions within my Government" signifying likewise "that it is the King's Royal will and pleasure that I should keep up an exact "correspondence with all His Majty's Governors on the Continent; and in case I should be "informed by any of them of any hostile attempts; that I should immediately assemble the "General Assembly within my Govern^{t}, and lay before them the necessity of a mutual assistance, "and engage them to grant such supplies as the exigency of affairs may require"—

In obedience to His Majty's pleasure I have used my utmost diligence to learn how far the information of the March of the Indians and Troops mentioned in your Lordp's letter may be well grounded, together with their designs and destination: and the result of my inquiry is contained in the inclosed paper N° 1. to which I beg leave to referr Your Lordp.

I have taken the necessary measures for putting the Militia of the province into a readiness for His Majty's service, in case of any sudden exigency; and have recommended to the Assembly to make provision for putting several Forts and Garrisons into a proper posture of defence, and communicated to them His Majty's Royal pleasure concerning his Colonies upon this Continent, giving mutual assistance to each other, in case of any hostile attempts against any of them.

In answer to this they have sent me a Message; a copy of which marked N° 2. I have taken the liberty of inclosing to Your Lordship in order to be layd before His Majty according to the Assembly's request, provided your Lordp shall judge that proper to be done.

I likewise take upon this occasion, the liberty to observe to your Lordp that tho' I am fully persuaded, that this Province (as the Assembly undertakes for it in their Messague) will at all times with great cheerfulness furnish their just and reasonable quota of Men or money towards the assistance of any other of His Majty's Colonies upon this continent, in case of an invasion or hostile attempt; and can't but hope, from the necessity of an union among all the Colonies for their mutual defence against the common Enemy, that the others may be likewise disposed to do the same; yet, unless it shall be determined by His Majty, what is each Colony's just quota of Men or Money which it shall raise or contribute in the common cause, when any one or more of them shall be invaded, or harras'd by the French or Indians, whether in a time of open declared Warr or not, and they shall be obliged in some effectual manner (as his Majty shall think most proper) to conform to that determination upon every emergency; yet, I say, My Lord, there seems just reason to apprehend from past experience, that the want of such a setlement, and a method to enforce its taking effect, will be an obstacle to the carrying into execution any general plan for cementing an Union among His Majty's subjects upon this continent, for the defence of His Majtys territories committed to their trust.

What greatly incourages me to take the liberty of submitting this observation to your Lord^{p}'s consideration, is, that it was thought necessary by the Government in King William's Reign to settle the Quota of Men and Money, which every one of the Colonies should be alloted to raise for the defence of New York; and that I find the like setlement continued in Sir Danvers Osborne's, late Gov^{r} of New York's 95th and 96th instructions; a copy of which N° 3. to save your Lord^{p} trouble, I likewise inclose.

The carrying of this settlement into execution, Your Lord^{p} will be pleased to observe, stands solely upon the King's recommendation of it, and I can't learn upon the best inquiry, I have been able to make hitherto, that it ever took effect, yet, I must likewise remark this fact to Your Lord^{p}; that since the time of making that settlement, the abilities and circumstances of several Colonies are much altered, so that, that would be a very unequal rule for settling the just proportion of their Quota's in Men or money at this day. For instance: Your Lord^{p} will find the Quota of Men allotted to this Province to raise for the assistance of New York is 350, and that allotted to Pennsylvania is 80. Now, such a proportion between the two Govern^{ts} at this time would be extreamly unequal; the Number of Inhabitants in Pensylvania having since King William the 3$^{rd's}$ Reign been so much increased by the great number of Foreigners, who have annually transplanted themselves and their families thither, from the Palatinate, Swiss Cantons and Northern Parts of Germany, and by the natural increase of the people, that some have computed them at 500,000 persons; whereas the increase of the numbers of Inhabitants in the Massachusets Bay within that time (not to mention their having had but a very inconsiderable number of Foreigners transplanted among them) hath been greatly hindered by having many of their valuable Townships lately lopped off by the new Settlement of the boundaries between them and the Province of New Hampshire in 1737 as also by the settlement of the boundaries between them and Colony of Rhode Island in 1741; and the province hath been further reduced by the great loss, it sustained of its inhabitants by sea and Land in the expedition against Cape Breton, and the preservation of Nova Scotia, both, before and during the whole course of the late Warr; so that there is no reason to doubt but that at this day the Inhabitants of Pensylvania tho' they should be computed only 400000, are about double the number of those of this Prov^{ce}.

The like remark may be made upon the proportion of the Quota of men and Money settled between the Colony of Connecticut and this Prov^{ce}, which is about 1 to 3., that Colony being alloted to raise 120 Men, and the Province 350, whereas the Colony, by means of the beforementioned reduction of the ancient, reputed limits of this Province, and its being exhausted of its Inhabitants in the late expeditions, and Warr, hath since making the aforesaid settlement so far got the start of the Province in the increase of its Inhabitants, that the just proportion at this day between them is (according to the computation of good Judges) no more than as 2 to 3. There are other circumstances besides to be considered in adjusting the proportion of the Quota between the Colony and the Prov^{ce}; viz: the Colony is entirely covered by this Province, so that it hath no frontier of its own, to defend in time of war, and consequently is at no expence in the maintenance of marching Companies, Forts and garrisons for that purpose; whereas the Province hath a very extensive frontier, which is constantly harras'd by the Indians and French, upon every rupture, and at a very considerable charge in maintaining marching Companies, Forts and Garrisons; and in time of peace the Colony's Taxes for the support of His Maj$^{ty's}$ Govern^{t} among them, is very trifling in comparison of that of the Province's.

I submit these observations to Your Lord^{p}'s consideration as specimens of the alteration of the circumstances of the Colonies with regard to the proportion, which they bore to each other in respect of their number of Inhabitants and ability in King William's Reign, and their present state, and to shew, how unequal a rule the settlement made at that time for adjusting their respective Quota's of Men and Money, would be for adjusting them at this day.

I must further add upon this head, that nothing would contribute more effectually to secure His Maj$^{ty's}$ subjects and territories upon this continent, against the rapid progress, which the French seem to be making in perfecting a strong line of Forts upon our backs from Bay Verté Easterly, to the utmost extent of His Maj$^{ty's}$ Dominions Westward, and to bring the Indians to a dependance upon the English, that a well concerted scheme, for uniting all His Maj$^{ty's}$ Colonies upon it, in a mutual defence of each other, duely carried into execution.

I have the utmost reason, My Lord, to think that the People of this Province are most readily disposed to do their part in promoting so necessary an Union, and to exert the same spirit, which they have hitherto in His Maj$^{ty's}$ service, to the utmost of their abilities, in concurrence with his other Colonies for their mutual defence; but I think it my duty to mention to your Lord^{p} that the thoughts of bearing the burthen of defending the wide frontier, upon which Fort Dummer stands, and was in the year 1737 adjudged to belong to the Province of New Hampshire, as they did the last War, seem so grievous to them, that I much question whether in case of another rupture with France, they could be induced to do it; and whether, unless some especial provision is made for the protection of it by his Maj^{ty}, it would not then be greatly exposed to be ravaged by the Enemy.

The daily intelligence that is received here from the Indians which frequent our Truck houses, our Traders to the Bay of Fundy, and even the Officers of Fort Lawrence in Schiegnecto, of the great Diligence of the French in strengthening their Forts and Block Houses in that District, and that on the Isthmus near Bay Vert, together with their having posessed themselves of S^{t} John's River, and the commerce they carry on in the Bay of Fundy, hath greatly alarmed the Assembly; and they extreamly dread bad consequences to the Province from such a neighbourhood; in case it shall continue until another rupture: as they do also from the French encroachments at Crown Point, unless something is done to curb them; towards the expence of doing which, and maintaining a Fort and garrison, if it should be His Maj$^{ty's}$ pleasure to have one erected for that service; I have reason to hope that the Province would contribute their just Quota of Men and money, in proportion to the protection which their western frontier would receive from it, in common with the Provinces of New York, Pensylvania, New Jersey's, Connecticut, Rhode Island and New Hampshire, as His Majesty shall be pleased to allot each Colony to do the same.

I shall carefully observe, His Maj$^{ty's}$ commands not to make use of the armed force, under my direction, excepting within the undoubted limits of His Maj$^{ty's}$ Dominions.

As I have the honour to be acquainted with the sentiments of the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations concerning the Isthmus of the Peninsula of Nova Scotia, where the French have erected their Forts, and the River of S^{t} John's in the Bay of Funda, founded upon the vouchers and evidences produced by the Commissary's of both Crowns in the negociation at Paris; viz^{t}: that they are clearly within the limits of His Maj$^{ty's}$ Province of Nova Scotia, I suppose we may deem them to be so, notwithstanding the claim of the French in their memorials, which extend as far as the River Kennebeck to the Westward, and to the

City of Annapolis Royal, as also part of the lands lying between that and the Sea coast of Nova Scotia, from Cape Sable to Cape Canseau to the Eastward.

I have the honor to be with the highest respect
My Lord
Your Lordships most humble
and most obedient servant
W. Shirley.

[Governors and Commanders in North America, (S. P. O.) No. 67.]

(N° 1) Extract of Lieu[t] Holland's letter, Commanding Officer at Oswego to the Gov[r] of New York dated Nov[r] 8. 1753, communicated to Gov[r] Shirley by Lieut: Gov[r] De Lancey.

Oswego Nov 8[th] 1753.

Sir

Since I last did myself the honor of writing to Your Excellency, has repast this the greatest part of the French army that went up this summer to Ohio, from whom deserted two Men, and put themselves under my protection (and whom I now send down) the one an English Man taken at Minas when cut off, the other a French Man, from whom we learn that the French have been incapable of accomplishing their designs on Ohio, by means of the Indians but threaten a second tryal next year they also inform us that the army had been very sickly and great numbers dy'd with the scurvy through the badness of their provisions, and that the Indians to the Southward had not only bid defiance to them, but forced from them both, Provisions and Brandy sundry times; they also inform us that the French had taken from thence, two English Prisoners, whom they sent in Irons to Canada.

(N° 2.) Extract from M[r] Smith's letter to Gov[r] Shirley dated Dec[r] 24[th] 1753. from Cape Cod in the Massachusetts Bay.

September the 29[th] 1752 the Castor or Beaver Comp[y] of Quebec petition'd the Gov[r] and Council of Canada to have a Fort erected on or near a River call'd by the French, la Riviere Blanche for the better support and strength of their Indian commerce, which they alleged was [encroach'd upon by the English Traders: This was][1] forthwith granted by the Gov[r] and Council, and an army of six thousand Men to be forthwith raised and ready to March by the 1[st] of January 1753; which body was to consist of 5000 militia, 600. Indians and 400 regulars, and when raised were thus to be disposed of: They were to be divided into three parties, and to March as follows, viz[t]: the first party consisting of 2000 Militia and 300 Indians on the 1[st] of January 1753 under the Command of Capt[n] Murray; the second party consisting of the same number to be ready on the first of March under the Command of Mons[r] Payconage; and the third party consisting of the Regular and the rest of the Militia to be ready to embark at Quebec on board of Boats, which were to be provided for

[1] The words within brackets are added from the copy of this letter in *New-York Colonial Manuscripts*, LXXVIII., in Secretary's Department, Albany. — Ed.

them, by the 1st of May under the Command of Captn Lothbinere Engineer: Upon the declaration of this grant, measures were so expeditiously taken, that Arms, Amunition and provisions with necessary apparrell, were forthwith provided and dispos'd of in proper Magazines throughout the Country for that purpose by the beginning of December; and according to the time limited by the Grant, the first party began their march on New Year's day 1753. the second party in March, and the remainder I saw embarked at Quebec on the 1st of May on Board 100 flat bottomed boats built for the expedition — We had every day News, before I left Canada of a great sickness raging among them, so that the Hospitals at Montreal and Fort Frontenac, were entirely crowded with their sick, and several have deserted from them, and privately returned home, being terrified with the thoughts of so long a March, all which greatly impairs their force. This party is to remain on [the] Command for three years.

When I left Canada which was on the 18th of August last the Country people and populace in general were greatly dissatisfied with this[1] Govern[t], on account of their being [so] arbitrarily bereav'd of their children, so that seditious Libels and satirical Sonnets were the continual cry of their streets; for the suppressing of which an Act was made that if any person sung or spoke any disrespectful words, against the Governor, the Lord intendant or Council, exciting to Mutiny or sedition, should upon conviction be forthwith imprisoned for a year, unless proper security for their future good behaviour should be produc'd; this at first, the populace look'd upon as only a Bugbear, till two or three were taken into custody and proper security obliged to be given; which rigour pretty well silenced the Mob. Their common cry was that their Governour by his sending such a body of Men so far from home, had an intention to deliver the Country into the hands of their Neighbours the New England Men, of whom the Canadeans in general are mighty jealous. — The Indian Traders with whom I have conversed inform me that La Riviere Blanche is 500 Leagues from Quebec, and that it is in the British territories; and further, that upon the English receiving intelligence of their schemes and proceedings, they were affraid they would make head against them and drive 'em off.—

N B. The above named Mr Smith, was at Canada about four years, and I have sent for him to come to Boston at the Province's expence to be further examined. In the mean time, I would not loose this opportunity of transmitting this account home, together with the extract of the Commanding Officer at Oswego's letter mark'd N° 1. communicated to me by Lieut[t] Govr DeLancey from New York, which confirms this account in part, tho' I must observe that the number of militia and Indians mention'd in it, to be employed in this expedition, is large, according to our computation of the whole number of fighting French Men and Indians in Canada, the former of which is not reckon'd to be more than from 16000 to 20000 at the utmost, and the latter not reckon'd to exceed in the whole 900.

[1] their. *New-York Colonial Manuscripts.* — Ed.

Governor Dinwiddie to Lieutenant-Governor De Lancey.

[New-York Colonial Manuscripts, in Secretary's Office, Albany, LXXVIII.]

Williamsburg Virg[a] Jan[y] 29[th] 1754

Sir,

The Advances made by the French to deprive his Majesty of the Interiour part of America, makes it necessary for me to give your Honour part in the Intelligence I have just received of their Proceedings, by the Return of a Gentleman whom I sent to the French Commandant for that Purpose.

On his Arrival he found that the French had taken post on a Branch of the River Ohio, and built a Fort, wherein they had mounted Eight pieces of Cannon, Six pounders, and that they had in Readiness Materials for other Forts, which they declared their Intentions to erect on the River, and particularly at Logs Town, the place destined for their cheif Residence, as soon as the Season would permit them to embark, and for which purpose he saw Two hundred and twenty Canoes ready finished, besides a great Number more blocked out. Having delivered his Credentials and my Letter, he complained to the Commander of the Violence that had been offered to his Majesty's Subjects, in seizing their Effects, and making Prisoners of their persons; To which he was answered, "That the Country belonged to them; that no Englishman had "a Right to trade upon those Waters, and that he (the Commandant) had Orders to make "every person prisoner that attempted it on the Ohio, or the Waters of it."

Your Honour will perceive these to be their Sentiments by the inclosed, and that they are determined to carry their Designs into Execution; and it were superfluous to advance many Arguments with so discerning and sagacious a Servant of our Master, to prove the Urgency that presses every one of his Majesty's Colonies to exert themselves on this Occasion, to vindicate the Honour and Dignity of his Crown, and justify his undoubted Rights, against the Invaders of the British property.

The Power of our Enemies is far from being contemptible, and it is as certain they will exert it's utmost Efforts, to procure all possible Advantages against us. They have already engaged three Indian Nations, the Chippoways, Ottoways and Orundacks to take up Arms against the English, and from the best Information Maj: Washington learned, that the French had four Forts on the Missisippi, besides their strong Settlement at New Orleans, where they have above Fourteen Hundred Men in Garrison; That by Means of the River Ovabaseck, they have a Communication between Canada and the Missisippi and some Forts on the Oubask, to cover and protect this Communication.

Before they sent their Troops into Winter Quarters last Fall, they called the several Tribes of Indians near their Fort together, and told them, that altho' the approaching Season, and the State, at that Time, of the Waters, made it necessary to send the cheif of their Forces into Winter Quarters, yet they might be assured to see them early in the Spring with a much more considerable Armament, and that then they would take Possession of the Ohio, and threatened them if they were not entirely passive.

These Circumstances induced me to order out for the present a Detachment of the Militia, and call together the Assembly, which I have ordered to meet the 14[th] of next Month, and hope they will enable me to take more vigorous Measures in the Common Cause, the Success

of which, as I apprehend greatly depends on the Dispatch with which our Forces are drawn together, and the promptitude of every Colony to exert itself on this pressing Occasion.

I have chosen Will's Creek on the Head of patowmack as the most convenient place of Rendezvous, early in March, and thither I should be extremely pleased, if your Honour would be so good as to order the Men that you think proper to send, agreeably to his Majestys Cômands, for mutual Assistance, which I sent you by the last Express, and as early in March as possible. As it may be very hurtful to the service to divide the Command, I wish to find your Honour in my Sentiments, and that you are willing to entrust my General Officer the Command of the Men from your Government. If I am so happy as to have your Concurrence in this, I shall hope the Consequence will be to shew our Enemies how far they were mistaken in the Sarcasm they threw out, that tho' they owned, We could bring two Men to their one, yet, that we were too slow, and disconcerted, to hinder the progress of their Undertakings.

May God, Sir, felicitate your Government with every happy Event, and enable us to ascert our Sovereign's just Right with Success

Sir

Since writing the above, I received your Letter of the 11th of December, covering that from the Lords Commissioners for Trade and Plantations. I observe your Intention of an Interview with the Indians at Albany in June next, which I am very sorry interferes with the Meeting I have proposed with the Six Nations and the Southern Indians on the 20th of May next; add thereto the Broils we are like to have with the French, which will enhance all my Time; and I am convinced the Assembly of this Province will be very backward in sending Commissioners to Albany, as the Charge of the intended Meeting at Winchester, and the raising of Men to defeat the Designs of the French will be very considerable, and I flatter myself with the Hope of your Assistance. The Favour of an Answer by the Return of this Express will oblige

Hond Sir

Your obedt humble Servt.

New York

Robt Dinwiddie

Indorsed Govr Dinwiddee 29 Janry 1754 R 17 Febry
Read in Council the 18 Febry &
answered the same day.

Lords of Trade to Lieutenant-Governor De Lancey.

[New-York Entries, O., p. 319.]

To James Delancey Esq: Lieutenant Governor of New York.

Sir,

We have received your Letters to Us dated the 15 of Octr and 2 of November last, containing an account of the melancholy death of Sir Danvers Osborn and of Your having taken

upon You the administration of the Government in virtue of a Commission of Lieut^{t} Gov^{r} delivered you by M^{r} Clinton before his departure. We have likewise received Your letter of the 29 of November acquainting us with your proceedings in consequence of Lord Holdernesse's letter to you dated the 28 of August last.

The conciliating the unhappy differences which have so long subsisted among the different Branches of the Legislature, restoring the authority of the Crown which has been greatly affected by them, reforming the abuses which have been introduced into the management of Indian Affairs and the establishing a firm Peace and Friendship with them are points of very serious consideration and we hope proper attention will be given to them; The previous measure of sending up Col: Johnson to the Six Nations to obviate the mischiefs which might have attended the disgust given to the Mohawks and to prepare them for a general meeting was right and proper and we think it Our duty to recommend to you in the most earnest manner to hold the intended interview as early as possible and strictly to follow the directions contain'd in our letter to Sir Danvers Osborn upon that Subject.

Inclosed we send you a Copy of the invoice of the presents directed by his Majesty to be given to the Indians which we are glad to find from the Agent employed by Sir Danvers Osborn in this service are arrived except some Guns which could not be got ready in time but which are now made and which we have assurance from the Board of Ordnance will be sent by the first Ships

We very much approve the regard you have shewn to His Majesty's Commands signified to you by Lord Holdernesse and it is with the greatest Satisfaction that we read the account you sent us of the reception they met with from the Assembly, and the resolutions they came to upon them, We entirely agree with you in opinion as to the consequence which must inevitably attend the proceedings of the French and their settling upon the Ohio and had hopes from the intelligence contained in your letter and from an account transmitted to us by M^{r} Pownall that they had abandoned their design but it appears by letters which we have since received from the Lieut^{t} Governor of Virginia that they have built and garrisoned one fort upon the Ohio and intend to build two or three more. We need not suggest to you how much it is the interest all the Colonies to prevent such encroachments Your own letter and the resolutions of the Assembly are a sufficient testimony that the people of New York are throughly convinced of the truth of it and that they will not be wanting to join with the rest of the Colonies in whatever may be proposed for the general security of the whole. So we bid you heartily farewell, and are

Your very loving friends
and humble Servants.
DUNK HALIFAX
J. GRENVILLE
JAMES OSWALD

Whitehall
Feb: 26th 1754.

Lords of Trade to Thomas Pownall, Esq.

[New-York Entries, O., p. 324.]

To Thomas Pownall Esq:

Sir,

We have received your letter to us dated the 14 and 30 of Oct^{r} containing an account of the melacholy death of Sir Danvers Osborn and transmitting the particulars of what passed at the meeting with the Indians at Onondago in July last, and other publick papers.

We are firmly persuaded that the expectations which the people of New York had entertained of being happy under S^{r} Danvers Osborn's administration were well founded and we lament the loss which they as well as yourself have sustained by his unfortunate death.

The reasons you give for not delivering up the Kings Instructions to the Council are just and proper and we greatly commend the prudence with which you acted in this affair

We had hopes from the intelligence contained in D^{r} Shuckburg's papers which you properly transmitted to use that the French had abandoned their design upon the Ohio; but it appears by letters which we have since rec^{d} from the Lieut^{t} Governor of Virginia that they have built a Fort altho' part of the Armament which supported them in it may have returned.

We are

Sir,

Your most Ob^{d} Servants

DUNK HALIFAX
J. PITT
JA. GRENVILLE
JA. OSWALD.

Whitehall
Feb: 26. 1754.

Secretary Pownall to Lieutenant-Governor De Lancey.

[New-York Entries, O. p., 326.]

To James De Lancey Esq: Lieut^{t} Governor of New York.

Sir,

I am directed by the Lords Commissioners for Trade and Plantations to acknowledge their having received the Box of Publick Papers (mentioned in your letter to me of the 10th of Jan:) and also your letters to them of the 24 of December and 3 of Jan: and to acquaint you that they will take the first opportunity of writing fully to you upon the several points therein contained their Lordships however cannot omit this opportunity of expressing their satisfaction that an early and general meeting with the Indians has been finally settled as the securing their friendship at the present juncture is of great Importance to his Majesty's Service and so much [for] the General Interest and advantage of the Province of New York and the other Neighbouring Provinces and by their Lordships directions I herewith inclose to you a letter to the administrators of S^{r} Danvers Osborn directing them to deliver to you the goods ordered

by His Majesty to be given as presents to the Indians and which you inform their Lordships are now in their hands.

I have also their Lordships directions to acquaint you that they apprehend you are right in your opinion that you may give your assent to a distinct Act for making provision for additional presents to the Indians and for defraying the other incidental expences it appearing to be a contingent and temporary service separate and distinct from the other Service of Government.

Permit me to close this letter tho' of a publick nature with my sincere thanks for the repeated civility's and kindness which my brother acquaints me he has received from you and which have been a great alleviation of his afflictions and misfortune in the loss of his friend S^r^ Danvers Osborn. I am with great truth and esteem

Sir,

Your most obedient &
most humble Servant
JOHN POWNALL

Whitehall
March 7, 1754.

Representation of the Lords of Trade to the King.

[New-York Entries, O., p. 882.]

To the KINGS MOST EXCELLENT MAJESTY

May it please your Majesty,

James De Lancey Esq: Lieut^t^ Governor of your Majesty's Province of New York having transmitted to us an humble address of the General Assembly of that Province to your Majesty relative to the 39 Article of your Maj^tys^ Instructions to the late Governor we humbly beg leave to lay the said address before Your Majesty

The Assembly in this address assert, that the imputations contain'd in the said Article of your Majesty's Instructions are groundless and have been most falsely and maliciously represented to your Majesty and as this Instruction was founded upon our representation upon the State of the Province dated the 2 of April 1751 We think it our duty in justification of ourselves and for the support of your Majesty's honor and dignity to observe to your Majesty that the several facts therein contained and which are recited in the Instruction are verified in the clearest and strongest manner by a variety of incontestable evidence; It appears from the Journals of the proceedings of the Council and Assembly that during the greatest part of M^r^ Clintons Administration factious animosity's and disagreements did subsist between the different branches of the Legislature and that the publick peace and tranquility of the Province was greatly disturbed It appears from the Acts of the Assembly particularly by those for raising money for publick Service which are all of them of a temporary nature and to which your Majesty's Governor was necessitated from the exigency of the service in time of war, to give his assent that the Assembly have taken to themselves not only the management and disposal of such publick money but have also wrested from your Majesty's Governor the nomination of all offices of Government the custody and direction of the publick military stores

the mustering and direction of troops raised for your Majesty's service and in short almost every other executive part of Government by which unwarrantable encroachments and invasion of your Majesty's just and undoubted authority order and Government was subverted and your Majesty's service obstructed and the security of the service endangered As therefore every imputation of misconduct in the Assembly mentioned in your Majesty's Instruction is so clearly proved from their own Acts and proceedings We are humbly of opinion that no regard ought to be had to the assertion in their address that they have been falsely and maliciously represented

All which is most humbly submitted

DUNK HALIFAX.
J. GRENVILLE.
JAMES OSWALD
ANDREW STONE.

Whitehall
April 4. 1754.

Dr. Colhoun to Lieutenant-Governor De Lancey.

[New-York Colonial Manuscripts in the Secretary's Office, Albany, LXXVIII.]

Sir,

Last night the following Deserters from Niagara came here, by way of Oswego say they were one night, and till noon next day at Coll Johnson's.

I thought it may be agreeable to you, therefore gave you the trouble of this, & have desired Isaac Swits immediately upon his arrival at N York, that he bring them before you. say they all natives of France. Antoine François L'Ouaqué a Parisian, & Jean Baptiste de Cortois were with Marrain, at the building of the two wooden-Forts, S. West from Niagara. L'Ouaqué seems to be the most intelligent of them. I show'd him some Maps of that Country, he has marked with a Pencill the form of the largest fort built on the neck of a Peninsula on the South side of Lac Erie 40 Leagues from Niagara. Cap^{t} Repantinié who was at N. York anno 1749. Cômandant: also the form of the smalest Fort upon the Riviére de Bœuf 7 leagues South from the former, where Marrain died. say they have there 9 Guns, 3 of Six & 6 of two & four pounders. No guns in the other Fort. three leagues of the Road next to the Lake very good, the other part very Swampy. L'Gardeur de S^{t} Piére was ordered to Canada, & Cap^{t} Contrecœur from Niagara is their present Cômandant. Contrecœur's Son an Ensigne at Niagara with only 15 men when they deserted. They were at first about 2000 Men Savages included, when L'Ouaqué and de Cortois were detached to Niagara in November last, about five or 600 Dead, and unfitt for Duty.

They talk of 3000 or 4000 men to come this spring from Canada to reinforce their settlement, and to build a Stone Fort upon the Ohio or Belle Riviére to the Westward, say that part of the Stones are already dug and squared.

It's said here that the French have lately finished a Fort at Coas, near the head of Conecticut River, about 80 or 90 miles above Fort Dummer. I am with the greatest respect,

Sir

Your most obedient humble Servt.

ALEX^{r} COLHOUN.

Deserters Names.

Charles le Chevalier de L'Axaque dit S[t] Marie au Coté d Espagne.

Jean Baptiste Giraud, Provencal

Jean Baptiste de Cortois, Franch-Comté

Antoine François L'Ouaqué. Parisien.

Louis Sabion, il a resté a Corlac, chez Morison Perruquiér

Albany Aprile 12. 1754.

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 1.]

New York. 22[d] April. 1754.

My Lords.

I had the honour of your Lord[pps] letter of the 26[th] of Febr[y] last, on the 13[th] inst: I shall endeavour to give due attention to the matters your Lord[pps] recommend, and shall stricktly follow the directions contained in your letter to Sir Danvers Osborn.[1]

The arguments I have used to the Neighbouring Govern[ts], to induce them to send Commissioners to the Albany Treaty, are, that as his Majesty had been graciously pleased to order the Indians a present and had directed the several Govern[ts] to send Commiss[rs] to this Interview, the Indians seeing them there, and being told they are all met by order of the great King their Father on the other side of the Big Lake, and that they are to act in concert for the mutual advantage of them and us; may be emboldened to act with vigour in the British Interest against the French. That Your Lord[pps] intention was that a Treaty be made in His Majesty's name, between the Indians and all the Provinces; and that I proposed at this interview to unite, as far as possible, all the Indians in alliance with us into a firm and lasting peace with each other; and to this purpose to lay before them the folly in waging war with those who are children of the same Father the King, and are all Brethren to the English; to represent to them the artifice of the French who perswade them into so absurd a practice, to alarm them at the French building Forts on the Lands conquered by and belonging to them on the Lake Erie and the River Ohio, thereby excluding them from a free and open communication with the Far Indians and those in alliance with us; and lastly, principally to concert measures among the Commiss[rs] at this Interview, for building Forts in such part of the Indian Country for their protection, as may encourage them (by seeing their wives and children will be secured and retreat afforded themselves) to declare openly and cordially for us.

If something of this kind be done, some reasonable and equal plan concerted of expence and operations; I am perswaded the Indians might be brought wholly back into our interest, and to join us readily in dislodging the French from our side of the Lakes; till some such measures

[1] Sir Danvers Osborne, of Chicksands, Bedfordshire, Bart., married in September, 1740, Lady Anne Montagu, daughter of the Earl of Halifax, and sister of Lord Halifax, at this time President of the Board of Trade. Excessive grief for the loss of Lady Osborne was, says Smith, the cause of his melancholy death. — Ed.

be taken I cannot have great dependence on their acting with vigour; we must show them the way, and show them too that there will be safety in adhering wholly to the British Interest.

The intelligence I sent Your Lord^{pps} from the Officer at Oswego, was given by Stephen Coffen, the same Man whom Coll: Johnson found working in the Mohawks Country, whose deposition he took; a copy of which I now inclose. Whether his fears of the French while at Oswego, made him conceal the truth, or whether the Officer at Oswego was negligent in his Examination, I know not; but the truth of his deposition is fully confirmed by intelligence we have received several ways; it was brought and delivered to me by Coll: Johnson the 18th of Febr^{y} last; I took care to have copies immediately sent to the Gov^{rs} of Pennsylvania, Maryland & Virginia. The inclosed intelligence from the Officer at Oswego I yesterday dispatched by express to the same Governors.

I have received the copy of the Invoice of the presents directed by His Maj^{ty} to be given to the Indians, and I have an account from the Secretary to the Board of Ordnance that the remaining Guns are sent which are arrived.

On the 17th instant I sent an extract of that part of Your Lord^{pps} letter, which relates to the Resolution of the Assembly of the 13th of November last, on the Earl of Holderness's letter to them. I had before at the opening of the Sessions, communicated my Lord Holderness's letter of the 18th of January last, wherein his Lord^{p} signifies, that His Maj^{tys} had been Graciously pleased to approve of that Resolution, which I in my speech had urged as a motive to induce them to exert their greatest efforts, to vindicate the honour of the Crown, and justify His Maj^{tys} undoubted rights against the Invaders of his property. I accompanied the Extract of your Lord^{pps} letter with the intelligence from the Officer at Oswego, and a Message to the house, signifying that they would perceive by the letter from the Earl of Holdernesse, which was already before them, and the extract from Your Lord^{pps} letter, that their Resolution had raised a just expectation in his Majesty and his Ministers, that they would Act in a manner suitable to that resolution; and therefore earnestly recommending to them, now the French were in Motion, and with an apparent intention to invade one of His Maj^{tys} Colonies, that they would exert themselves on this occasion, and enable me to give such assistance to the Colony of Virginia as the present exigency demanded.

They have voted only 1000 pounds for provisions for the two Independent companies, which his Maj^{ty} has ordered into Virginia from hence; the reasons they urge for not going higher (in their address to me) are, a great debt from the expence of the late War; the necessity of repairing the Fortifications and out Garrisons; the expence of a double garrison at Oswego, and the building Forts in the Indian Country and on our Northern frontiers; and as they have come to a resolution to bear an equal proportion of the charge of building those Forts, I have sent copies of it to the Governours of Virginia, Maryland, Pennsylvania, New Jersey, Connecticut, Rhode Island, Massachusets Bay and New Hampshire, that they may use their endeavours to bring their Assemblies to join in this Expence; all which will require a large sum of money, and renders them unable to afford that assistance they would otherwise willingly give.

They have also voted for the additional Men to strengthen the Garrison at Oswego 456 pounds—this is an annual expence. For presents to the Indians. 800 pounds, my expenses to Albany 150 pounds, annual Commiss^{rs} for Indian Affairs 170 pounds, Indian Interpreter 50 pounds, Officer at Oswego 25 pounds—this last, is for trifles to be given the Indians when they visit the Officer at Oswego, which have often a better effect than larger at other times.

They have resolved to provide for the repair of the Fortress at Oswego and desired me to give directions for doing it, which I have accordingly done.

I should have sent Your Lord^{pps} some papers relating to the Jersey line, but must defer it till the next opportunity, as the Maps to clear that Matter are not yet completed.—I am —etc.

JAMES DE LANCEY.

Deposition of Stephen Coffen.

[New-York Papers, Bundle Kk., No. 4.]

Stephen Coffen of full age being duly sworn, deposeth and saith, that he was taken prisoner by the French and Indians of Canada at Menis, in the year 1747, under the command of Major Noble, from whence he was brought to an Indian Village called Octagouche, about 15 leagues to the westward of Chebucta, where he was kept three weeks prisoner, from thence was carried to a French settlement called Beaubasin, where the French had a wooden Fort then Garrisoned with twenty five Men, remained there two Months, from thence they took him to Gaspey, a considerable fishing place in the Gulf of S^{t} Lawrence near to the entrance of the River; there are about 300 families settled there, they kept him there working near four years, then he was brought to a place called Ramouski inhabited by about 25. French Families, from which place he sailed two years to and from Quebec, in a sloop carrying Beaver and Furs, Salmon ettc. to Quebec, and in return brought back, Brandy dry goods ettc. During the time of the Deponents residing at Quebec, he says, it was commonly talked or reported, that they, the French intended to settle as many families as they could to the Westward, to make up for the loss of two of their Towns sunk in the West Indies by an Earth-quake. The Deponent further saith, that the Navigation up the River S^{t} Lawrence, is very dangerous, particularly so at the Isle aux Coudres, and the Isle Orleans, the North side of the former is the best Navigation, the south side being very rapid and Rocky, and the channel not above 200 yards wide, about 6 fathoms Water; whereas in the North Channel there is 15 fathom, at the North East end of the latter begins two Sand banks, which extends a league down said River; the channel is between both banks, and pretty near the middle of the River, from thence to the Town of Quebec good Navigation, being 15 fathom all the way. The Deponent says, there is no possibility of going up said River without the Tide serves, or a strong North East Wind, especially at the two afore mentioned Islands. In September 1752 the Depon^{t} was in Quebec, and endeavouring to agree with some Indians, to convey him to his own Country New England, which the Indians acquainted the Gov^{r} of, who immediately ordered him to Goal, where he lay three Months; at the time of his Releasement the French were preparing for a March to Belle Riviere or Ohio, when he offered his service, but was rejected by the Gov^{r} General Le Cain; he the said General setting out for Montreal about the 3rd of January 1753. to view and forward the Forces, the Deponent applyed to Major Ramsay, for liberty to go with the army to Ohio, who told him he would ask the Lieutenant De Ruoy, who agreed to it, upon which he was Equipped as a Soldier, and sent with a Detachment of three hundred Men to Montreal, under the Command of Mons^{r} Babeer, who sett off immediately with said Command, by Land and Ice, for Lake Erie; they in their way

stopt a couple of days to refresh themselves at Cadaraghqui Fort; also at Taranto on the North side of Lake Ontario; then at Niagara Fort 15 days; from thence set off by Water being April, and arrived at Chadakoin[1] on Lake Erie, where they were ordered to fell Timber, and prepare it for building a Fort there, according to Gov[rs] instructions; but Mons[r] Morang coming up with 500 Men and 20 Indians, put a stop to the erecting of a Fort at that place, by reason of his not liking the situation, and the River of Chadakoins being too shallow to carry any craft with provisions ettc. to Belle Rivier. The Deponent says, there arose a warm debate between Mess[rs] Babeer and Morang thereon, the First insisting on building a Fort there, agreable to his Instructions, otherwise on Morang's giving him an Instrument in writing to satisfy the Gov[r] in that point, which Morang did, and then ordered Mons[r] Mercie, who was both, Commissary and Engeneer to go along said Lake, and look for a good situation; which he found, and returned in three days, it being 15 Leagues to the S. W. of Chadakoin; they were then all ordered to repair thither; when they arrived, there were about 20 Indians fishing in the Lake, who immediately quit it on seeing the French; they fell to work and built a square Fort, of Chesnut Loggs squared, and lapt over each other to the height of 15 foot; it is about 120 feet square, a Loghouse in each square, a Gate to the Southward and another to the N. ward, not one port hole cut in any part of it; when finished they called it Fort la Briske Isle. The Indians who came from Canada with them, returned very much out of Temper, owing as it was said among the Army to Morang's dogged behaviour and ill usage of them, but they the Indians said at Oswego, it was owing to the Frenche's misleading of them, by telling them falsehoods, which they said they had now found out, and left them. As soon as the Fort was finished, they marched Southward cutting a Waggon Road through a fine level Country, twenty one Miles to the River of Bœff. (leaving Capt[n] Deponteney[2] with a hundred Men to garrison the Fort la Briske Isle) they fell to work cutting timber boards ettc for another Fort, while Mons[r] Morang ordered Mons[r] Bite with 50 Men to go to a place called by the Indians Ganagarah'hare, on the Banks of Belle Riviere, where the River O Bœff empties into it; in the mean time Morang had got[s] large Boats or Battoes made to carry down the Baggage and provisions ettc to said place; Mons[r] Bite on coming to said Indian place, was asked what he wanted or intended; he upon answering, it was their Father the Gov[r] of Canada's intention to Build a Trading house for their, and all their Brethren's conveniency, was told by the Indians that the Lands were theirs, and they would not have them build upon it; the said M[r] Bite returning, met two Englishmen Traders, with their Horses and goods, whom they bound & brought prisoners to Morang, who ordered them to Canada in Irons; the said Bite reported to Morang, the situation was good, but the wate[r] in the River O Bœff too low at that time to carry down any Craft with provisions ettc. a few days after, the Deponent says, that about [one] hundred Indians called by the French Loo's, came to the Fort La Riviere O Bœff, to see what the French were a doing, that Mon[s] Morang treated them very kindly, and then asked them to carry down some stores ettc. to the Belle Riviere on horseback for payment, which he immediately advanced them on their undertaking to do it; they set off with full loads, but never delivered them to the French, which incensed them very much, being not only a loss, but a great disappointment. Morang a Man of very peevish Cholorick disposition, meeting with those and other crosses, and finding the season of the year too far advanced, to build the Third fort, called all his officers together, and told them, that as he had engaged, and firmly promised the Gov[r] to finish the three Forts that season, and not being

[1] Now, Portland, Chautauque Co., N. Y. [2] Derpontiney. *New-York Colonial Manuscripts*, LXXVIII. [3] 90. *Ibid.* — Ed.

able to fulfill the same, was both, affraid and ashamed to return to Canada, being sensible, he had now forfeited the Governour's favour for ever; wherefore, rather than live in disgrace, he begged they would take him (as he then sat in a carriage made for him, being very sick some time) and seat him in the middle of the Fort, and then set fire to it, and let him perish in the flames; which was rejected by the Officers, who, the Deponent says, had not the least regard for him, as he had behaved very ill to them all in general. The Deponent further saith, that about eight days before he left the Fort La Briske Isle, Chev: Le Crake arrived express from Canada, in a Birch Canoe, worked by 10 men, with orders (as the deponent afterwards heard) from the Governour Le Cain to Morang to make all the preparation possible again the spring of the year, to build then two Forts at Chadakoin, one of them by Lake Erie, the other at the end of the carrying place at Lake Chadakoin; which carrying place is 15 miles from one Lake to the other; the said Chevalier brought for Mon^{s} Morang, a cross of S^{t} Louis, which the rest of the Officers would not allow him to take until the Gov^{r} was acquainted of his conduct and behaviour; the Chev: returned immediately to Canada, after which the Deponent saith, when the Fort la Riviere O Bœff was finished (which is built of wood stokadoed Triangularwise, and has two Logg Houses in the inside) Mons^{r} Morang ordered all the party to return to Canada, for the winter season, except three hundred men, which he kept to Garrison Both Forts, and prepare materials agst the spring for the building other Forts; he also sent Jean Coeur an Officer and Interpreter, to stay the Winter among the Indians at Ohio, in order to prevail with them, not only to allow the building Forts on their Lands, but also persuade them if possible, to join the French interest against the English. The Deponent further saith, that on the 28th of October last, he sett off for Canada under the command of Capt^{n} Deman, who had the command of 22 Battoes, with 20 Men in each Battoe; the remainder being 760 Men, followed in a few days, the 30th arrived at Chadakoin, where they staid four days, during which time Mons^{r} Peon with 200 Men, cut a Waggon Road over the carrying place from Lake Erie to Lake Chadakoin,[1] being 15 Miles, viewed the situation which proved to their liking, so sett off Nov^{r} 3^{d} for Niagare, where we arrived the 6th: it is a very poor rotten old wooden Fort, with 25 Men in it, they talked of rebuilding it next summer. We left 50 Men here to build Battoes for the army again the spring, also a Store House for provisions Stores ettc and staid here two days, then sett off for Canada; all hands being fatigued with Rowing all night, ordered to put ashore to breakfast within a mile of Oswego Garrison, at which time the Deponent saith, that he with a Frenchman slip't off, and got to the Fort, where they both were concealed, until the Army passed; from thence he came here. The Depon^{t} further saith, that besides the 300 Men with which he went up first, under the Command of Mons^{r} Babeer, & the 500 Men Morang brought up afterwards, there came at different times with stores ettc 700 more, which made in all 1500 men; three hundred of which remained to garrison the two Forts, 50 at Niagara, the rest all returned to Canada, and talked of going up again this winter, so, as to be there the beginning of April; they had two 6-pounders, and 7. fourpounders, which they intended to have planted in the Fort at Ganagarah'hare, which was to have been called the Gov^{rs} Fort, but as that was not built, they left the Guns in the Fort La Riviere O Boeff, where Morang commands. Further the Deponent saith not

Sworn before me this
10th day of January 1754.
Wm Johnson.

his
Stephen + Coffen
mark

[1] now, Lake Chautauque. — Ed.

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 7.]

New York, 21 May 1754.

My Lords,

In my letter of the 22. of April, I acquainted your Lord^{pps} with the sums of money the Assembly had voted, to which I beg leave to refer, inclosing a copy of it.

In the Bill they sent up to the Council for issuing the money, several of the allowances were made payable on Receipts, and not by Warrant; among the rest that of 1000 pounds for subsisting the two Companies, ordered to Virginia, with provisions for six Months, and the Council being of opinion, that this method of issuing the publick money, was repugnant to His Maj$^{ty's}$ Commission and Instructions, rejected the Bill, and advised me to prorogue the General Assembly, til the next day, and to recommend the providing for the services in a manner not liable to objection, which I accordingly did. I shall not trouble your Lord^{pps} with a particular detail of the proceedings, as I accompany this with the votes, but shall only say, that after all my endeavours, I could not prevail on them to give one farthing for this service or to enable me to raise Men for the Assistance of Virginia.

The extreme obstinacy of the Assembly in this instance, will point out to your Lord^{pps} the danger there is of the disappointment of any service, however urgent it may be, as the Assembly on one hand will not recede, and the Council on the other, think themselves not at liberty to give in to the Assembly's method, unless they depart from the Royal Instructions. For my own part, as I look upon this service, to be distinct from the annual and constant charges of Govern^{t}, I should have made no difficulty in passing the Bill rather, than suffer a service of this nature to drop; relying on this; that the necessity I was thus laid under, would appear to your Lord^{pps} a sufficient excuse, and I beg your Lord^{pps} sentiments for my guide upon such occasions.

I lately received an express from Gov^{r} Hamilton of Pennsylvania, with intelligence that the French had drove our people from a small Fort on the Ohio, and obliged them to retreat to the Inhabitants; and being uncertain whether your Lord^{pps} will receive this advice earlier from Virginia, or otherways, I inclose copies of the Papers. They came to my hands the 9th inst:, a few days after I had prorogued the Assembly, and early in the next Month, I must embark to go to the interview appointed with the Six Nations at Albany, so that the time would not allow of my calling them again to lay these papers before them. I can not meet them till their harvest is over, which will be the latter end of July, or the beginning of August, when I hope they will show such a regard to their solemn Resolution approved of by His Maj^{ty}, as may redound to their honour.

I now send your Lord^{pps} some papers relating to the division line, between New Jersey and this Province, with a copy of an ancient Map, said to be signed by Andrew Hamilton, who was then Gov^{r} of East Jersey. I have drawn two lines on the Map, to distinguish in a triangle, the Lands that are as I conceive still in the Crown. I shall make no observations on King Charles Second's Grant to the Duke of York, but will suppose the Duke had a right to grant the lands, which he did grant to Lord Berkely and Sir George Carteret, and then it is to be considered how far the Duke's Grant to them, did extend up Delaware River. The bounds from Cape May at the mouth of Delaware River are "extending to the Northward as far as

the Northernmost Branch of the said Bay, or the River of Delaware, which is in forty one degrees and forty minutes of Latitude." Here I would only observe, that the Northermost Branch of the said Bay or River, is the terminus ad quem, the place at which they must stop: the words, as far as, being the same in sence as, usque ad, which is always exclusive of the place to which you go; so that from Cape May, to the Northermost Branch of Delaware River is the whole extent of the Western boundary of Jersey. As for these words, which is: *in forty one degrees and forty Minutes of Latitude*, I do not take them to be part of the description of the Boundary, they are only affirmative words of computation, or rather conjecture of the latitude wherein the Northernmost branch or the Forks of Delaware lye. For instance, if a grant was made of all the lands from London Bridge to Greenwich, *which is ten miles;* here the mistaken computation made of the distance, will not carry the grant beyond Greenwich. London Bridge being the terminus a quo, the place whence, and Greenwich the terminus at quem, the place to which; and these two make the extent of the Grant, and are always understood to be exclusive. So of the western boundary of Jersey, the main Ocean at Cape May at the mouth of Delaware Bay, is the terminus a quo, and the Northermost branch of the said Bay or the River of Delaware, is the terminus ad quem, which make the extent of the Jersey grant on the West. For Delaware River is formed by the two branches joining into one Body at the forks of Delaware, may properly enough to be said to be the ne plus ultra, of Jersey on that side. For the mistaken computation of distance or latitude, cannot enlarge the extent of a Grant, words of that sort being not descriptive but conjectural.

It is said, as the Patents of Wawayanda and Minisink are bounded on the Jersey line, his Maj$^{ty's}$ interest can not be concerned, let the line run where it will, but this is a mistake; for the Jersey line on which these Patents were bounded, was the supposed line marked in the Map, which was at that time understood to be the line, and they cannot be extended Southward, even if the real line of Jersey is to run from the Forks of Delaware, *or the head of Delaware Bay*, to the Station on Hudson's River opposite to the lower Yonkers; the King's intention being to grant lands no further than the then supposed line.

I wrote to Gov^{r} Belcher to propose a line of peace between the two provinces, to put a stop to the disputes and disorders that are committed on the Borders; in which letter I thought it my duty, as his Majesty's servant, to tell him my opinion that the forks of Delaware, were the ne plus ultra of Jersey on that side. This paragraph has drawn upon me a pretty extraordinary proposal from the Jersey proprietors, which was delivered to me by M^{r} Alexander. I shall make no reflections on it, but submit the propriety of it to your Lord^{pps} consideration. I must inform your Lord^{pps} that M^{r} Alexander is a Member of his Maj$^{ty's}$ Council for this Province and for the Province of Jersey, and a considerable proprietor, and a chief Manager in behalf of the Jersey proprietors. I leave it to your Lord^{pps} to consider how consistent this is, while there is this controversy subsisting between the two Provinces, and between the Proprietors and his Majesty. I inclose the Report of a Committee of his Majesty's Council on the disturbances between the people living on the borders of the two Govern^{ts} and the opinion of the Commitee for establishing a line of peace, until the partition line be fixed between both provinces, and M^{r} Alexander's reasons for his dissent to the said Report. Your Lord^{pps} will perceive the opinion of His Maj$^{ty's}$ Council to be, that the line of peace, should run according to the supposed line, and the reasons upon which they ground their opinion, and if they appear satisfactory, I hope directions will be given to the Gov^{rs} of the two provinces, that the line be so fixed & ascertained as a line of peace, until His Maj$^{ty's}$ right be finaly settled in such a legal course, as his Majesty shall think proper.

I am very backward to take any steps to protect the Freeholders and Inhabitants in the quiet enjoyment of their possessions up to the supposed line, as the Council advise. The Reason, My Lords, is, that I am concerned in the Minisink Patent, and so are my Brothers and sisters, as Devisees of my Father, who held two shares in that Patent. Nor shall I take any steps without the advice of the Council. I beg your Lord^{pps} will be pleased to direct me on this head.

As one of the points in view at the meeting of Commiss^{rs} at Albany, is to concert measures for building Forts in advanced places on the frontiers, to cover these Colonies, and in case of a War to annoy the French; I would propose to your Lord^{pps}, that I might have his Maj$^{ty's}$ leave to pass a Bill for emitting twenty thousand pounds in Bills of Credit, to be put out at interest for the space of ten years at six per cent, and then to be paid into the Treasury and sunk; the whole of the Interest to be applyed in building and supporting the Fortifications on the Frontiers, and to no other use. This fund would produce 1200 pounds per annum; and as the Assembly are averse to Taxes at this time, those of the last war not being yet at an end, it seems to me this measure is most likely to go down with them, and I can not think it will have a bad effect on the credit of our paper currency, for, from the best information I could obtain, we have about 115,000 pounds paper currency, and we now sink annually by the funds appropriated to that purpose 9500 pounds.

I have just received advice from the Officer at Oswego that on the third instant, thirty French Battoes loaded with provisions under the conduct of two Officers, past that Post, in their way to Niagara, supposed to be destined for the Ohio.—I am—My Lords,

Your Lord^{pps} most obedient and most humble servant

JAMES DE LANCEY

Major Washington to Governor Hamilton.

[New-York Papers, Bundle Kk., No. 8.]

(copy)

Honourable Sir,

It is with the greatest concern I acquaint you, that M^{r} Ward Ensign in Cap^{tn} Trent's comp^{y} was compelled to surrender his small Fort in the Forks of Mohongialo to the French on the 17. inst: who fell down from Weningo with a Fleet of 360 Battoes and Canoos, with upwards of one Thousand Men, and eighteen pieces of Artilery, which they planted against the Fort, drew up their Men, and sent the inclosed summons to M^{r} Ward, who having but an inconsiderable number of Men, and no Canon to make a proper defence was obliged to surrender; they suffered him to draw off his Men, Arms, and working Tools and gave leave that he might retreat to the Inhabitants,

I have heard of your Honour's great zeal for His Maj$^{ty's}$ service, and for all our interests on the present occasion. You will see by the inclosed speech of the Half Kings, that the Indians expect some Assistance from you, and I am persuaded you will take proper notice of their moving speech, and of their unshaken fidelity.

I thought it more adviseable to acquaint your Hon^r with it immediately, than to wait till you could get intelligence by way of Williamsburgh, and the young Men, as the Half King proposes.

I have arrived thus far with a detachment of 150 Men, Coll: Fry with the remainder of the Regiment and artilery is daily expected. In the mean time we advance slowly across the mountains, making the Roads as we March, fit for the carriage of our Gunns ettc. and are designed to proceed as far as the mouth of red stone Creek, which enters Mohongialo, about 37 Miles above the Fort taken by the French, from whence we have a Water carriage down the River; and there is a Stone house[1] built by the Ohio Company, which may serve as a recepticle for our Ammunition and provisions.

Besides these French that came from Weningo, We have credible accounts, that another party are coming up Ohio. We also have intelligence that 600 of the Chippoways and Ottoways, are Marching down Sciodo Creek to join them. I hope your Hon^r will excuse the Freedom I have assumed in acquainting you with these advices. It was the warm zeal I owe my Country that influenced me to it and occassioned this Express. I am with all due Respect and regard, your Hon^r's most obedient and very humble servant.

G^o Washington.

James Foley the express, says he left M^r Washington at the New Store on Potowmack about 130 Miles from Capt^n Trent's Fort at the mouth of Mohongialo on Saturday 27^th April.

Philadelphia. 6^th May 1754.
A true copy Examined by
Richard Peters, Secretary.

New York 16. May 1754—a true copy Exam^d
by Gw: Banyar D Secretary—

Captain Contrecœur's Summons to the British Troops at the Monongahela.

[New-York Papers, Bundle Kk., No. 10.]

A Summon by order of Contrecœur Capt^n of one of the Companies of the Detatchment of the French Marine; Commander in Chief of His Majesty's most Christian Troops[2] now on the Beautiful River, to the Commander of those, of the King of Great Brittain, at the mouth of the River Monongahela.

Sir,

Nothing can surprise me more, than to see you attempt a settlement upon the Lands of the King my Master, which obliges me now, Sir, to send you this Gentleman Chev: Le Mercier, Captain of the Bombadiers, Commander of the Artilery of Canada, to know of you Sir, by

[1] *Sic.* Store house. *New-York Colonial Manuscripts*, LXXVIII; *Pennsylvania Colonial Records*, VI., 29.
[2] *Sic.* His most christian Majesty's Troops. *Ibid.* — Ed.

virtue of what Authority you are come to fortify yourself within the Dominions of the King my Master. This action seems so contrary to the last Treaty of peace, concluded at Aix-la Chapelle, between his Most Christian Majesty and the King of Great Brittain, that I do not know, to whom, to impute such a usurpation, as it is incontestable, that the lands situated along the Beautiful River, belong to his Most Christian Majesty.

I am informed, Sir, that your undertaking has been concerted by none else, than by a Comp^{y} who have more in view the advantage of a Trade, than to endeavour to keep the Union and harmony which subsists between the Crowns of France and Great Brittain; altho' it is as much the interest, Sir, of your Nation, as Ours to preserve it.

Let it be as it will, Sir, if you come into this place charged with orders, I summon you in the Name of the King my Master, by virtue of orders which I got from my General, to retreat peaceably with your Troops from off the Lands of the King, (and not return; or else I find myself obliged to fulfill my duty, and compell you to it, I hope, Sir, you will not defer an instant, and that you will not force me to the least Extremity) in that case, Sir, you may be persuaded that I will give orders, that there shall be no damage done by my Detachment.

I prevent you, Sir, from the trouble of asking me one hour of delay, nor to wait for my consent to receive orders from Your Gov^{r}. He can give none within the Dominions of the King my Master; those I have received of my General are my Laws, so that I can not depart from them.

If on the contrary, Sir, you have not got orders, and only come to Trade, I am sorry to tell you, that I can't avoid seizing you, and to confiscate your Effects, to the use of the Indians our Children allies and friends; as you are not allowed to carry on a contraband Trade. It is for this reason, Sir, that we stopped two Englishmen last year, who were Trading upon our Lands, moreover the King my Master asks nothing but his right, he has not the least intention to trouble the good harmony, and Friendship which reigns between his Maj^{ty} and the King of Great Brittain.

The Gov^{r} of Canada, can give proof of having done his utmost endeavours, to maintain the perfect union which reigns between two friendly princes, as he had learned that the Iroquois, & Nepissingues of the Lake of the two Mountains, had struck and destroyed an English family towards Carolina, he has carred[1] up the Roads and forced them to give him a little boy belonging to that family, which was the only one alive, & which M^{r} Wlerick a Merchant of Montreal has carried to Boston; and what is more, he has forbid the Savages from exercising their accustomed cruelty upon the English our friends.

I could complain bitterly, Sir, of the means taken all last Winter, to instigate the Indians to accept the hatchet, and to strike us while we were striving to maintain the peace.

I am well persuaded, Sir, of the polite manner in which you will receive M^{r} Le Mercier, as well out of regard to his business, as his Distinction and personal Merit. I expect you will send him back with one of your Officers, who will bring me a precise answer. As you have

[1] *Sic.* barred. *New-York Colonial Manuscripts*, LXXVIII. — Ed.

got some Indians with you, Sir, I join with Mr Le Mercier an interpreter, that he may inform them of my intentions upon that subject.

I am with great Regard
Sir
Your most humble & most
obedient Servant
CONTRECŒUR

Done at our Camp
April 16. 1754.

Philadelphia 6th May 1754.
a true copy examined by
RICHARD PETERS Secretary.

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 15.]

New York. 5 June 1754.

My Lords,

On the 21st of last Month (May) I had the honour of writing to your Lordpps and inclosing several papers relating to the controverted line of Division between this Province and New Jersey, a duplicate of which letter I now send, with a Copy of Keith's Map, and a paper I received from Mr Alexander; the other papers relating to this matter mentioned in that letter, are entered in the Minutes of Council Commencing the 11th January, and ending the 17th May 1754, Copies of which I now send your Lordpps, with the Journal of the Council's proceedings in the two last sessions of General Assembly, the votes of the Assembly, and ingrossed copies of the Five Acts passed; among the Acts there are not any I think that require particular observation.

I have received intelligence from the Officer at Oswego that on the 14th of May 17. French Canoes seemingly well manned, passed that place, supposed to be destined to Ohio; last week the two Independent companies, in his Majtys ship Centaur sailed for Virginia, after being detained a considerable time here by bad weather.

I shall embark for Albany to morrow, to meet the Indians on the 14th instant.

I am
My Lords,
Your Lordpps most obedient and
most humble servant.
JAMES DE LANCEY

P. S. I inclose Your Lordpps a copy of my letter to Govr Belcher and of my answer to the paper delivered to me by Mr Alexander.

Secretary Robinson to the Lords of Trade.

[Plantation General Papers, XV. (O.) No. 125.]

Whitehall, 14th June 1754.

My Lords,

The King having taken into consideration the present State of affairs in North America, and it having appeared to His Majesty to be highly expedient that a Plan of General Concert should be entered into by his Majesty's several Colonies for their mutual and common Defence, and to prevent or remove any Incroachments upon His Majesty's Dominions: I am to signify to Your Lordships the King's pleasure that You should forthwith prepare such a Plan of concert as may be proper for the purpose above mentioned, in order that the same may be sent to the several Governors of His Majesty's Colonies in North America.

I am, My Lords,

Your Lordships' most obedient
humble Servant

Lords of Trade and Plantations. T. Robinson[1]

Secretary Robinson to Lieutenant-Governor De Lancey.

[Governors & Commanders in North America. (S. P. O.) No. 74.]

Whitehall 5 July 1754.

Sir,

I have received your letter of the 22nd of April, directed to the Earl of Holdernesse, in answer to His Lordship's letter of the 18th of January, and having laid it before the King, I am to acquaint you with his Majty's surprise, that the Independent companies of Your Govern[t] were found in so bad a condition, as they appear to have been by your own account. Capt[n] Rutherford and Lieut[t] Morris are actually set out for their respective posts; and His Majty does not doubt but that the two Companies are thoroughly compleat, which you have sent to Virginia, and that you have taken the like care to compleat those which remain upon Duty in your province.

[1] Sir Thomas Robinson, son of Sir William R. and Mary Aislabie, was ambassador to the Court of Vienna in 1734 and during the administration of Sir Robert Walpole. In 1747 he acted as one of the plenipotentiaries on the part of Great Britain at the peace of Aix la Chapelle. He was appointed one of the Lords of Trade in 1748, which office he held a year; and in 1750 was made a privy councillor. He was also Master of the wardrobe, and in 1754 appointed Secretary of State and leader of the House of Commons. Though a good Secretary of State, as far as the business of his office and that which related to foreign affairs, he was ignorant even of the language of an House of Commons controversy, and when he played the orator, which he too frequently attempted, it was so exceedingly ridiculous, that those who loved and esteemed him, could not always preserve a friendly composure of countenance. On George 2d going to Hanover, he was appointed one of the Lord Justices. In 1755 he was removed from the Secretaryship, to make way for Mr. Fox, and went back to his old place as Master of the wardrobe, with a pension of £2000 a year on the Irish establishment. He was offered, again in 1757, the place of Secretary of State, which he declined on the score of ill health. *Waldegrave's Mem.* On the 7th of April, 1761, he was created Baron Grantham, of Grantham, county of Lincoln, and died 30 September, 1770. His lordship was Grandfather to the late Viscount Goderich. — Ed.

It is with great concern that His Majᵗʸ sees the unwillingness of his subjects under your Governᵗ to exert themselves in what is now become so esse[n]tially the common cause of all the Colonies, more especially since the last accounts from Major Washington of the violent proceedings and actual hostilities of the French upon the Ohio; which verify in fact what was apprehended, when the Earl of Holdernesse wrote so fully to you in August last, and which might have been, in a great meusure, if not totally, prevented, had every one of His Majᵗʸˢ Governments exerted themselves according to those directions; I am now to enforce to you, by the King's express command, the said directions, to which I shall only add, that at the same time that your assembly seems to be so sensible of the vigour and resolution said to have been shewn by the Governᵗ of Virginia upon this occasion, they should not be unacquainted with the behaviour of the Governᵗ of Massachuset's Bay, in obedience to like instructions to those which were sent to you, which I do not doubt but you have been enabled to lay before them in consequence of your correspondence with Govʳ Shirley, and much less should they be ignorant of the approbation which His Majᵗʸ has been graciously pleased to shew to his good subjects, your neighbours, and of the encouragement whᶜʰ has been given to them to proceed with the utmost vigour as you will see more fully by the inclosed copy of a letter, which I have written to Mʳ Shirley by His Majᵗʸˢ commands of which you will make a proper use, in order to excite His Majᵗʸˢ subjects under your care, to follow so brave an example.

I am ettc.

T. Robinson.

Lords of Trade to Lieutenant-Governor De Lancey.

[New-York Entries, O. P, 337—354.]

To James Delancey Esq: Lieutᵗ Goverʳ of New York.

Sir

One of his Majesty's ships of War being preparing to sail in a few days for Virginia affords us an opportunity of answering such points in the several letters we have received from you as have not yet answered.

You are already so fully acquainted with our sentiments upon Indian affairs that it is almost unnecessary for us to say any thing further upon this subject We cannot however but express our surprize and concern that after the proper arguments which you made use of to induce the neighbouring Colonys to concur in the treaty with the Six Nations any of these Colonys should at this conjuncture have declined joining in a measure so apparently for the general interest and security of the whole and such a conduct appears to us the more extraordinary as we are informed that upon former occasions and in times of less Peril and Exigency they have joined in such treaty's

The preserving and securing the friendship of these Indians is in the present situation of affairs an object of the greatest Importance it is from the steady adherence of these Indians to the British Interest that not only New York but all the other Northern Colonys have hitherto been secured from the fatal effects of the encroachments of a foreign power, and without their

friendship and assistance all our efforts to check and disappoint the present view of this power may prove ineffectual it would be endless to enumerate the advantages which are derived from an alliance with these Indians and the mischiefs and evils which will certainly result from a neglect of them in the present conjuncture they are so apparent that we are at a loss to guess at the motives for the conduct of those Colony's who have declined joining in the treaty with them.

It seem's to be the opinion and is the language of almost every Colony that a general Union of strength and interest is become absolutely necessary nothing could have facilitated such a measure more than a general Congress of Commissioners from each Colony at Albany upon this occasion some plan might possibly have then been struck out by these Commissioners for effecting such an Union which can never be brought about in the seperate and divided state of the Colony's without some general Congress.

The reasons you give us in your letter of the 24 of Dec^{r} for having appointed the meeting with the Indians at Albany rather than Ondiondago are founded upon a variety of circumstances which we have not the opportunity of examining into with that precision which is necessary to enable us to form a proper judgement upon them Your reasons appear to us however in a general view to be formed upon right principles and we hope they will be justified by the good effects of this treaty. In all treatys with the Indians of a publick nature regard only ought to be had to the General Interest advantage and security which is to arise from such treatys nor should the partial or commercial views & Interest of private persons be ever admitted to take effect at any publick meeting with the Indians as we have reason to fear has too often been the case very much to the prejudice of His Majesty's Interest and Service.

The papers you have sent us relative to the points in dispute between New York and the Neighbouring Provinces with respect to Boundarys, more especially with respect to the line of division between New York and New Jersey and the observations which you make in your letters upon these disputes will be of great service to us when that point comes under our consideration it appears to us in the general light in which We see this affair at the present that it will be for his Majesty's service and for the peace and interest of both Provinces that a temporary line of Jurisdiction should be establish'd by his Majesty's authority until the true line of property can be ascertained and therefore we shall shortly take this matter into Our consideration and lay our thoughts fully upon it before his Majesty. In the mean time we do earnestly recommend to you as we have also done to the Governor of New Jersey to every legal and proper measure that can be thought of to preserve the publick peace in those parts and prevent that mishief we have reason to fear might be occasioned by this unhapppy dispute.

The general impressions we have had of your conduct in the office of Chief Justice have been favourable ones and we hope your Conduct in the execution of the command devolved upon you will recommend you to that office again when this command ceases.

We are glad to find that you have satisfyed the Principal Members of the Assembly of the unreasonableness of meddling for the future in the executive part of Government and of the propriety of allowing all publick money to be drawn out of the Treasury by warrant of the Governor and Council only agreable to his Majesty's Instructions But as it is stil a point insisted on that the Revenue even for the services of a permanent nature should notwithstanding be granted only from year to year we are afraid that either these pretensions which are so explicitly disavowed in words are meant to be retained in effect or that at least this reserve of granting the Revenue only annually may from time to time revive these very

pretensions since such annual grants may be employed annually to the purposes of wresting from the Crown the Nomination of all offices whose Salarys depend upon the annual appointment of the Assembly and of disappointing all such services of Government as may be necessary even to the very existence of the Colony, which are not entrusted even in their execution to such persons as the Assembly appoints under the pretence of receiving and applying these annual grants And this even tho' the Crown has no Controul over such persons in the execution of the trusts so reposed in them nor in making them accountable for the expenditure of the money put into their [hands] according to the strict rules by which all money raised upon the people ought to be accounted for to the Crown in its Courts.

We are indeed at a loss to conceive what other purposes this point so strenuously insisted upon of granting the Revenue from year to year can serve for if it is imagined that this method of establishing a revenue by annual grant is the only one by which the province can be secured against misapplication on the part of the Governor or other officers of the Crown It will be found to be a mistake and that it is strict appropriation which produces such security and not the mere mode of granting the Revenue annually which of itself is of no effect at all and if directed to the above purposes is disavowed by themselves such appropriation accompanied with proper checks and proper penalties will be found more effectual to prevent misapplication and to punish it if attempted than either the method of annual grants which in the case of Services of a permanent nature and necessary to the very being of the Colony is an absurdity or the appointing of Commissioners on the part of the Assembly for the receipt and application of Publick money whereby not only the executive power of the Crown is invaded but the publick is disappointed of the only security it is made to expect such Commissioners being in their very constitution Intended to be beyond the controle of the executive power and not subject to any proper method of account in its Courts If the Assembly therefore truly and sincerely mean only to secure the Revenue which they grant against misapplication which is an object not only laudable in its self but which in duty to their constituents they are bound to endeavour to obtain by every method which their constitution admits, and which is not in itself absurd let them apply themselves to appropriate their grants both of permanent and occasional Revenue in the strictest manner to the purposes for which they intend it let [them] contrive and promote such Checks as they Judge most proper to prevent misapplication and such penaltys as they think necessary for punishing it if attempted There is nothing in such measures either contradictory of the Kings Instruction or invasive of His prerogative and it seems to be equally the interests of the Crown as of the Province that all publick money should be truly applied to its service But if they persist by the means of annual grant either to attempt wresting from the Crown the nomination of officers and any other executive parts of Government disappointing the most effectual services of the province unless such pretensions are comply'd with tho' they may have succeeded in such attempts either by the weakness and Corruption of Governors or by taking advantage of the necessity of the times yet these attempts are so unconstitutional so inconsistent with the interest of the mother Country as well as of the Crown and so little tending to the real benefit of the Colony itself that it will be found they flatter themselves in vain if they imagine they can ever give them a stability and permanency; We are therefore of opinion that the Council did right in refusing their assent to the Act mentioned in your letter of the 24 of May.

It was a great surprize to us to find by your letter of the 22 of April that the Assembly of New York after so proper a regard shown to His Majesty's orders by their resolution of the 28 of

August 1753 which His Majesty had so graciously approved of and which had raised a just expectation that they would have Acted with vigour at this crisis should have absolutely refused to grant any other supply than the trifling Article mentioned in your letter and it was still a greater surprize to us to find that they refused ever to grant them but in a manner inconsistent with His Majesty's order and instruction We are at a loss to account for such a conduct in so perilous a situation when the proceedings of a foreign power call upon the Colony's to exert the most vigorous endeavours for their Security and Defence, and when the least delay or neglect may be attended with very fatal consequences, but what in Our oppinion still further aggravates the Assemblys disobedience to His Majesty's orders is that extraordinary declaration in the Address to you of the 23 of April that it did not appear to them the building a Fort upon French Creek was any invasion of His Majesty's Colonys; It is beyond dispute that their land are comprehended within the territory of the Six Nations who are by the Treaty of Utrecht acknowledged by France to be subject to the Dominion of Great Britain His Majesty looks upon this to be an invasion of His Dominions and therefore such a declaration is highly presumptuous in the Assembly and injurious to His Majesty's rights and is the more extraordinary as the security of all the Colonys and the preservation of Our trade and commerce with the Indians depends upon the possession of these lands we cannot therefore but approve the answer you gave to this address and the proper regard you shewed for His Majesty's Rights and the publick interest in clearing His Majesty[s] title from such ill founded and pernicious doubts.

As soon as we received your letter and papers relative to these points we laid them before His Majesty as also all such others as contain an account of your proceedings in consequence of His Majesty's Orders and we doubt but you will receive directions from His Majesty upon them.

The proposition you mention in your letter of the 21 of May of being permitted to pass an Act for issuing £20,000 in Bills of credit requires a very serious consideration we are inclined to believe from the Nature of paper currency in General, that a moderate quantity issued upon proper security and having a proper fund for its redemption within a reasonable time may operate to the advantage of a Colony and may also be the least burthensome method of levying money for the supply and support of Government but then we are clearly of opinion that the making such paper money a legal tender in all payments is unnecessary, improper and inconsistent with the sence of Parliament here, and therefore if you shou'd meet with such difficulty in raising money for the supply and support of Goverment in the present emergency in the usual way as might induce you to fall upon this method we think that the bills ought by no means to be declared to be a legal tender and that the interest arrising from the loan of the bills should during their continuance be appropriated and applied to the services of Government in the manner prescribed by His Majesty's Instruction and provided also that you do not give your assent to any Act of this sort without a clause being inserted therein suspending its execution until His Majesty's pleasure be known. So we bid you heartily farewell and are

Your very loving friends
and humble Servants

DUNK HALIFAX
JAMES OSWALD
ANDREW STONE

Whitehall
July 5 1754.

Reverend S. Johnson to the Archbishop of Canterbury.[1]

["American Colonies MS.," No. 1123, I., No. 77, Lambeth Palace.]

May it please Your Grace

The Bearer hereof is Mr Solomon Palmer who having been brought up and graduated at New Haven College, has for several Years, been a dissenting Minister of a very good character and in much esteem but upon occasion of our late Confusions he hath been led to read many of the best Divines of our Chuch, which has of late convinced him that it is his duty to conform to the church, and now goes well recommended by several of the Clergy of Connecticut to my Lord of London for holy orders in order to be incumbent to several adjacent places in the County of Litchfield in that Colony, where his late parish is, and where there are many people that earnestly desire he may be settled among them. And though they are most of them, but poor new planters, they have engaged 30 pounds sterling pr an. which he hath accepted as a Title for his Ordination, and which I hope my Lord of London will accept of as he does no[t] go with any dependence on any Salary from the Society. Nevertheless, as this will be but a very slender support for a family of seven Children, he is also recommended to the Society; and I shall be very thoughtful for Your Grace's influence, if it may be, that he may have a small pension allowed him in addition to it.

On this occasion I humbly beg leave to inform Your Grace that the Gentlemen of the City of New York, where I now am, have, for several Years, been projecting to establish a College here, and been raising money for that purpose, and are now resolved speedily to carry it into execution. They have all along been often expressing their design that I should be the Head of their intended College; from which, (upon a visit I made them last fall,) I sincerely endeavoured, to my utmost to dissuade them; notwithstanding which they have since unanimously chosen me to this Office, assuring me that they cannot be agreed on any other method, and that my refusal would much endanger the miscarriage of their design; and it seems the general persuasion that it is my duty to accept.

However I have this Spring been prevailed upon to spend, at least, some months here, (my neighbouring brethren in the mean time taking turns to do duty for me in my absence;) in which time the Trustees have been projecting a Charter, according to the tenor of which, the service of the Church is to be always used in the College, and the President to be always of the Church of England; and it is passed in Council and preparing for the Seals.—In consideration of which conditions, the gentlemen of Trinity Church will give a tract of land excellently situated, whereon to build it, with 7 or 8000 pounds,—And it is intended that Your Grace and my Lord of London be first named among the Governors of the College to be incorporated.

Here is indeed a most virulent and active faction of Presbyterians and Freethinkers that do violently oppose such a Charter, and do all they can to disaffect the Dutch, without whom they bear but a small proportion in the province.—But as the Dutch seem generally steady in

[1] The Most Reverend Dr. Herring was Bishop of Bangor in 1737; he succeeded Dr. Blackburne as archbishop of York in 1743, and on the death of Dr Potter, in 1747, was elevated to the See of Canterbury. He died on the 13th of March, 1757. "He was a very amiable man, to whom no fault was objected; though perhaps the gentleness of his principles, his great merit, was thought one. During the rebellion he had taken up arms to defend from oppression that religion, which he abhorred making an instrument of oppression." *Walpole.*—Ed.

their union with the Church of England, it is not much doubted that the General Assembly will approve of the Charter: and if they do, I believe I must accept of this Office and settle here, and apply myself to the discharge of it as well as I can.—And I humbly beg an interest in Your Grace's prayers in my behalf, of which I shall stand in much need as I am very deficient in proper qualifications for such a business, and especially considering my advanced Years.—

I am
May it please Your Grace,
Your Grace's most dutiful son &
most obedient humble Servant
New York July 10 1754. (signed) SAMUEL JOHNSON.

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 19.]

New York. 22. July 1754.

My Lords,

With my last of the 5th of June to Your Lordpps, I sent the Minutes of Council, and the Journal of their proceedings in the two last sessions, the votes of the Assembly, and engrossed copies of the five Acts passed then.

I returned last week from the Interview with the Indians at Albany, and it is with pleasure I can assure you, that we parted very good friends, which your Lordpps may observe from what they say themselves in their speech at the conclusion of the Conferences. I had the good fortune to bring the affair between the Germans, and Magin and his Associates (which had raised so great a ferment among the Indians) to a happy conclusion, with which the parties before me in Council, & in the presence of the Mohawks of Conajoharie or the upper Castle, declared themselves fully satisfyed. This was one of the points the Indians had much at heart, and they are now fully contented with the manner in which I settled it.

There is another point that disturbs the minds of these upper Mohawks, which I shall set myself about redressing as soon as I can be fully informed in relation to it; they say the lands on which they live, have been clandestinely surveyed in the night time, and patented some years ago to Mr Livingston and others; if this proves so upon inquiry, it must have been done by fraud and deceit, for it is not possible to believe that the Indians would dispose of the Lands on which they live, and from which they have the Chief part of their subsistence. I shall cause the Records to be searched, and if I find the fact to be as the Mohawks have suggested, I will order some legal course to be taken to vacate that patent; for till this be done, the uneasiness on their minds will never be removed; when this is done, I suppose the other, as lesser matters, may be easily got over.

They have desired me to get a Church built among them. I shall grant a Brief for that purpose, and encourage subscriptions, and if I can obtain a sufficient sum, I will order the Church to be built of Stone, in such a Manner, that it may serve as a Fort upon any emergency. Thus much of the upper Mohawks.

The lower Castle of Mohawks have also put in their complaints to me, and they consist of two articles. One relates to a grant of Land made by them to Mr Barclay, present Rector of Trinity Church; this grant passed through the usual forms, but they say they intended it as a Glebe for his use, while he lived among them as a Missionary and afterwards for the use of his successors; but I am informed he made a regular purchase of it, and believe it to be so, as he laid out a considerable sum of money in building on it, which no prudent Man would have done, who had only an Estate of so short a continuance. I shall lay it before the Assembly and endeavour to prevail on them to pay Mr Barclay for his improvements, who, I am assured, is willing to convey that Estate for the use of a Missionary for ever, upon being reimbursed the Expenses he has been at.

The other article of complaint is touching a large Tract of Land called Kayaderosseras which the Indians say they have never sold. I sent for some of the owners who produced an Indian deed (of which the inclosed is a copy) and a patent granted thereupon in November 1708. the bounds of which seem to me to be much larger than those in the Indian Deed. I must refer Your Lordpps to the Minutes of Council at Albany herewith sent, for the reasons which the Indians give to shew that the lands were not regularly sold, there have been no settlements made on this land though the grant be so ancient, and the Tract so extensive; for at a very low computation it is upon the Mohawk's River, except where it is interrupted by ancienter Patents, twenty five miles, running up the River Westerly, thence Northerly by computation in the patent twenty two miles, thence Easterly or Northeasterly about twenty miles to the third Falls on Hudson's River, thence Southerly along said River and ancienter grants, to the place where it begins, which I guess to be about twenty five miles; but supposing it contain as much as twenty Miles square, it will amount to 256000 Acres. This tract was granted to thirteen persons as tenants in common, but is now by purchases and devises branched out in such a number, as can scarce be known or found, and so it is rendered extreamly difficult, if not altogether impracticable to divide and settle it; and as the lands lie to the Northward of Albany and the Mohawks river, it would be of great service and security to our Northern frontiers, if this grant could be vacated, and the lands parcelled out to be settled in Townships, with an exemption from Quit Rents for ten years. This would encourage people to engage in the settlement, especially if they were protected by a Fort at the Lake of St Sacrament or nearer to them. I am as yet at a loss, what steps to take in this affair to give the Indians satisfaction, if the Patent be vacated the Indians will be satisfyed, as they will then expect to have the sale of these lands. I shall consider of the matter and whatever judgement I form upon it, or steps I take in it, I shall submit to your Lordpps, not having time since my return from Albany to make a full enquiry into this matter.

I herewith send the proceedings of the Commissrs at Albany, in which your Lordpps will find the publick conferences with the Indians; the plan of a general union of the Colonies, and a representation of the present state of the Colonies; the latter was drawn without the concurrence of any of the Council of this Provce. The vessel is to sail so soon, that the Council will not have time to consider of them, and lay their thoughts upon them before me; when they shall have done so, I will transmit them to your Lordpps with such observations as shall occur to me.

The plan I proposed to the Commissrs was to build two Forts in the Indian Country, the one at Onondaga where the General Council of the Five Nations is held, the other at Tiorondequat near the mouth of the Seneca River on the Lake Ontario, about 80 miles westward of Oswego,

which was purchased from the Indians for this purpose when Mr Clarke was Lt Govr; it is by this River the French went under Mr Denonville the then Govr of Canada, to destroy the Seneca Castle, and if we had a good Fort well garrisoned here, the Senecas would settle under its protection, and most of them become our firm friends, and join as when occasion offers to dislodge the French from Niagara, a Fort of theirs which commands the pass between Lake Ontario and Lake Erie, which if it were in British hands, would soon put a stop to the French encroachments on the Ohio. This was what I proposed on that quarter. On the other towards Crown point or Fort St Frederick, at the South end of Lake Champlain; I proposed to build three Forts, one at the carrying place on Hudson's River, to command that River; one on the Wood Creek a few miles Northward below where Fort Ann formerly stood; and the third at the south end of Lake St Sacrament; by this Lake the French come in time of War to attack the settlements of this Province, and may either pass down Hudson's River to Albany, or cross thro' the woods to Schonectady and the Mohawks country; this consideration alarms and discourages the Mohawks against whom the French bear a great resentment, as they were the most active in the late War; a Fort at this place might give some stop to the French, or at least we might hence have notice of their approach, and put ourselves on our guard; the Wood Creek is a great inlet for the French to New Hampshire and Massachusets Bay, or, by turning to the right, into this province. These two Forts therefore would be a great obstacle to the French incursions into these Countries, and besides, would make us Masters of the two great passes by water to Crown Point, and thence to Montreal, the waters of the Lake and the Wood Creek fall into the drowned lands, and so pass by crown point into Lake Champlain, and it is easy to imagine, of what consequence these posts well secured will be in time of War—These were the things I proposed and which might have been soon and easily carried into execution at the joint charge of the Provinces concerned, but the Commissioners would hear of nothing but the plan they have drawn up.

I inclose two papers that were communicated to the Commissioners at Albany the one entitled "Measures necessary to be taken with the six Nations" ettc drawn up by Coll: Johnson, and the other "Considerations towards a general plan of the measures of the English provinces" drawn by Mr Pownall; that your Lordpps may have a full view of what passed at Albany.

We have received the account of Major Washington's defeat near the Ohio by the French. The particulars as in the paper inclosed may not be exact, but the truth of the disaster is not to be doubted. I have ordered circular letters to be sent to call the Assembly together on the 20th of August, when I shall endeavour to prevail on them to give Mr Dinwiddie Assistance, and should the Assemblies do their duty on this occasion, I hope Mr Dinwiddie will be able to cope with the French on the Ohio.

Since the above, there is a letter from Coll: Innes to Govr Hamilton, giving an authentic relation of Major Washington's defeat, a copy of which, printed in the Newspaper I inclose. I am.

My Lords

Your Lordpps most obedient and
most humble servant
James De Lancey.

Proceedings of the Colonial Congress held at Albany.

[New-York Papers, Bundle Kk., No. 20.]

Albany the 19. June 1754.

Proceedings of the Congress held at Albany by the Hon^{ble} James DeLancey Esq^{re} Lieut^{t} Gov^{r} and commander in Chief of the Prov^{ce} of New York, and the Commissioners of the Several Provinces now met in this City.

At a Meeting in the Court House at Albany on Wednesday the 19. June 1754. A. M.

PRESENT— The Hon^{ble} the Lieut^{t} Gov^{r} of New York

Joseph Murray
William Johnson
John Chambers
William Smith: } Esquires of His Maj$^{ty's}$ Council of New York

Theodore Atkinson
Richard Wibbird
Meshec Weare
Henry Sherburne Jun^{r} } Esq^{rs} Commiss^{rs} for His Maj^{ties} Province of New Hampshire.

Samuel Welles
John Chandler
Oliver Partridge
John Worthington } Esq^{rs} Commiss^{rs} for Massachusets Bay

William Pitkin
Roger Wolcott
Elisha Williams } Esq^{rs} Commiss^{rs} for the Colony of Connecticut.

Stephen Hopkins
Martin Howard Jun^{r} } Esq^{rs} Commiss^{rs} for the Colony of Rhode Island

Bejamin Tasker
Abraham Barnes } Esq^{rs} Commiss^{rs} for the Govern^{t} of Maryland.

John Penn
Richard Peters
Isaac Norris
Benjamin Franklin } Esq^{rs} Commiss^{rs} for the Govern^{t} of Pennsylvania

His Honour the Lieut^{t} Gov^{r} of New York having yesterday directed M^{r} Banyar Deputy Secretary of the said province, to wait upon the Commiss^{rs} of the several provinces above named, to acquaint them that his Honour desired they would meet him in Council in the City Hall of Albany this morning, in order to produce their powers and proceed upon business.

The said Commiss^{rs} being now accordingly met took their seats, and produced their respective Commiss^{ns} which were read.

His Honour then produced a letter from the Right Hon^{ble} the Lords of Trade, bearing date the 18th of September last, out of which a paragraph was read.

Afterwards were read two Minutes of the proceedings of the Commiss^{rs} of Indian affairs in this City dated the 15th and 18th inst: also a remonstrance from the Oswego Traders to His Honour.

It was recommended as the first step necessary to be taken at this Congress, that the Commissioners should consider of the several matters they may judge proper to be proposed to the Indians, at the intended interview with them, and to prepare the speech to be made on that occasion for which purpose his honour acquainted the Commission^{rs}, he would direct the Secretary or Agent for Indian affairs to attend them with the Records of that Office, and the Commiss^{rs} of Indian affairs to meet together as often as there should be occasion in order that they might give them all the information relative to Indian affairs.

At a Meeting in the Court House at Albany on Wednesday afternoon the 19. June 1754.

PRESENT — The Council of New York, and all the Commiss^{rs} as particularly named in the Minutes of this morning.

The Board proceeded to take into consideration the Matters recommended by his Honour in the Morning. The whole letter from the Lords of Trade was read and is as follows:

Whitehall Sept^{r} 18 1753.

Sir,

A few days after you sailed from Portsmouth we received a letter from M^{r} Clinton, inclosing minutes of the proceedings between him, and a Deputation of the Mohawk Indians, at Fort George in the City of New York, in June last, with the Journals of the Assembly then sitting.

You will without doubt upon your arrival be fully informed of the particular circumstances of this affair, the resentment expressed by the Indians, and the abrupt, and hasty manner in which they went away, and tho' from the confidence we have of your vigilant attention to whatever may concern your Govern^{t}, we are persuaded you will not have failed to have taken every necessary and prudent measure to obviate the fatal consequences which might attend this affair. Yet we think it no less our duty to embrace the first opportunity of writing our sentiments to you upon [it,] and of pointing out to you what appears to us necessary to be done.

When we consider of how great consequence the friendship and alliance of the six Nations is to all His Maj^{ties} Colonies and Plantations in America in general as well as to New York in particular; when we consider that this friendship and alliance, is only to be gained and preserved by making presents to them at proper times and upon proper occasions, and by an inviolable observance of all our engagements with them, and when we recollect the attempts, which have lately been made to withdraw them from the British interest, we cannot but be greatly concerned and surprised, that the Province of New York should have been so inattentive to the general Interest of His Maj^{ties} subjects in America, as well as to their own particular security, as to have given occasion to the complaints made by the Indians, but we are still more surprised at the manner in which these complaints were received, The dissatisfactory answer[s] given to the Indians, & at their being suffered to depart (tho' the Assembly was then sitting) without any measures taken to bring them to Temper or to redress their complaints.

This being the light in which we see this affair, we think it for his Maj$^{ty's}$ service that you sh^{d} take the very first opportunity of representing to the Council and Assembly in the strongest

Manner of how great importance it is to the Province of New York, to preserve the Friendship and affections of the Indians, and the fatal consequences which must inevitably follow from a neglect of them, that you should press them to join with and support you in every measure you shall find it necessary to pursue in order to fix them in the British Interest, more especially by making proper provisions for presents for them, which joined to the presents allowed by His Majᵗʸ, and which you will receive by this conveyance, may serve to facilitate this great end, and to wipe away all remembrance of that neglect, the Indians now complain of. As a speedy interview with the Indians is from their present disposition become the more necessary, you will no doubt think it proper to advise with the Council, as to the time and place of meeting the Indians, in which points we trust you will have a due regard to their convenience, and as it appears from their complaints, that Albany, which has been the usual place of meeting is obnoxious to them, you will, if you find sufficient foundation for this complaint appoint some other place, you shall think more for their Ease and satisfaction, and we observe from a Report of the Council and Assembly to Mʳ Clinton that Onondaga is proposed as the most proper place. We likewise hope that in the choice of the Persons who are to attend and assist you at this interview, you will have a regard to such as are best acquainted, with the Indians and their affairs and not obnoxious to them; and as a great deal depends upon the Interpretors, we desire you will be particularly careful to appoint such as are well acquainted with the Indian language and Men of ability and integrity.

We hope that the Threats of the Mohawk Indians, when they left New York, have not been carried into execution, but think it of absolute necessity in order to obviate any ill consequences which might attend these threats, that some person of character and discretion should be immediately sent amongst the Indians to acquaint them of your arrival, of the presents his Majesty has ordered to be delivered to them and of your intention of holding an interview with them for burrying the Hatchet and renewing the Covenant chain, that this person should be carefully instructed to endeavour to remove any prejudices which the Six Nations may have imbibed from the representations of the Mohawks, to obviate the ill effects which would attend a general discontent among them at so critical a juncture and to put them upon their guard against any attempts which may be made to withdraw them from His Majᵗⁱᵉˢ interest, and that nothing may be wanting to convince the Indians of the sincerity of our intentions; you will do well to examine into the complaints, they have made of being defrauded of their lands, to take all proper and legal methods to redress their complaints, and to gratify them by reasonable purchases, or in such other matter, as you shall find most proper and agreable to them. for such lands as have been unwarrantably taken from them, and for such others as they may have a desire to dispose of, and we recommend it to you to be particularly careful for the future that you do not make grants to any persons whatsoever of lands purchased by them of the Indians upon their own accounts, such practices have been found in a neighbouring Govern[t] to be attended with great mischief & inconvenience; but when the Indians are disposed to sell any of their lands, the purchase ought to be made in His Majᵗʸ'ˢ name and at the publick charge.

As we find it has been usual upon former occasions when an interview has been held with the Indians, for the other neighbouring Governᵗˢ in alliance with them to send Commissʳˢ to be joined with those of New York, and as the present wavering disposition of the Indians equally effects the other provinces, we have wrote to the Governours of Virginia, Pennsylvania, Maryland, N. Hampshire, Massachusets Bay and New Jersey, desiring them to represent to their respective assemblies the utility and necessity of this measure, and to urge them to make proper provision

for it and therefore it will be necessary that when you have settled the time and place of meeting, you should give them early notice of it, and this leads us to recommend one thing more to your attention, and that is to take care that all the provinces be (if practicable) comprised in one general treaty to be made in His Majᵗʸ's name, it appearing to us that the practice of each province making a separate treaty for itself in its own name, is very improper, and may be attended with great inconvenience to His Majesty's service. So we bid you heartily farewell and are

Your very loving friends and
humble servants
DUNK HALIFAX
J. GRENVILLE
DUPPLIN.

For Sir Danvers Osborn Govʳ of New York.

And also were read the following papers from the Commissʳˢ of Indian affairs at Albany. vizᵗ

Albany, 15. June 1754.

At a Meeting of the Commissʳˢ of Indian Affairs at Mʳ Lutteridge's

PRESENT—Coll: Myndᵗ Schuyler
Robᵗ Saunders Esqʳᵉ Mayor of the City
Sybᵗ Van Schaak Esqʳᵉ Recorder
Capᵗⁿ Hubert Marshall Commader of the Fort
Cornelius Cuyler,
John Beekman,
John Rentzelaar,
Jacob Coenᵗ tenEyck,
Peter Winne
} Esquires,

Peter Wraxall, Secretary.

His Honʳ the Lieutᵗ Govʳ the Honᵇˡᵉ James de Lancey Esqʳᵉ having directed Coll. Myndᵗ Schuyler to convene the Commissʳˢ of Indian Affairs that they might consult together if they had any matters in particular to recommend to His Honour upon the approaching interview, with the Six Nations.

In consequence hereof the Commissʳˢ are of opinion, that the Six Nations who now live dispersed and confused, should in the most earnest manner be exhorted to unite and dwell together in their respective Castles, and that the Mohawk Nation should live in one Castle only.

That his honour apply to the Onondaga Indians in particular to direct and exhort them to live together in one Castle according to their ancient and prudent Custom, and to cause all their friends and Relations wherever dispersed to join them particularly those who have separated themselves, and live at present at Sweegassie[1] on the South side of the River Sᵗ Lawrence, to the Eastward of Cadaraghqui where the French have lately fortifyed, have a Garrison, and where a French Missionary constantly resides in order to draw them off from our alliance. At this Sweegassie the French have lately made a settlemᵗ of Indians belonging to the Six Nations of which the greatest part are from Onondaga and Cayouge.

That whereas the French have been long endeavouring to prevail on the Senecas to come and settle at Irondequat in order to have them nearer to their settlements, the more easily to effect their design of debauching them from the British interest, the Commissʳˢ are of opinion, that his Honʳ should insist on the Senecas, who at present live very remote from one another,

[1] Oswegatchie, now Ogdensburgh, St. Lawrence Co., N. Y. — ED.

to make a general Castle near the mouth of the Senecas River, where they have already begun to build a new Castle.—This point has been several times recommended to them by former Governors, and which they have faithfully promised to do, but have not hitherto effected.

The Commiss^{rs} are of opinion that the most effectual method to retain and secure the Six Nations to the British Interest, will be to build two Forts, one on the Onondaga, the other in the Senecas Country, and that each Fort be supplyed with a proper Missionary. They are further of opinion that the carrying and selling Rum in the Castles of the Six Nations is of the most pernicious consequence to the public interest of this Colony in particular and to the British Interest in general, with respect to our Indian connections.

The Commiss^{rs} are also of opnion that no Frenchman upon any pretence whatsoever, should be suffered to reside or Trade among the Six Nations, and that the Six Nations should be directed to send those Frenchmen away who now Trade or reside among them, and to warn them not to return. Those French Emissarys having always been of fatal consequence to the British interest amongst the Six Nations.—

Albany 18th June 1754.

At a meeting of the Commiss^{rs} of Indian affairs at the House of Robert Lutteridge.

PRESENT— Peter Winne, Mynd^{t} Schuyler,
Sybrant Van Schaak Recorder, John Beeckman,
Jacob Coen^{t} ten Eyck Esq^{rs}.
[Peter Wraxall, Secretary.]

His Honour the Lieut Gov^{r} having sent to Coll: Mynd^{t} Schuyler to know what he should do with regard to the River Indians at the approaching interview—Coll: Schuyler thought proper to convene the Commiss^{rs} that they might answer his honour upon this point.

They are of opinion, that after the Six Nations arrive in Town, it will be time enough to send a Message to the said River Indians.

Whereas divers complaints have been made to the Commiss^{rs} of Indian Affairs that the Indians at Chonoghoheere Castle, do forcibly take Rum from the Oswego Traders, in their passage by the said Castle; and also that the Onejda Indians oblige the Traders to let them carry their goods over the carrying place, and to pay them double, and sometimes more than double the Customary price which the Germans were ready and willing to take. It is the opinion therefore of this Board that His Honour be pleased at the approaching interview, to represent the injustice of these proceedings to the Six Nations, and that it is a breach of their promises so solemnly made, and a violation of their engagements entered into, and frequently renewed with former Governours.

A true Copy from the Records of Indian Affairs.
PETER WRAXALL Secr^{ty} ettc.

A Remonstrance was then read to the Board from the Oswego Traders to His Honour the Lieut: Gov^{r} of New York, of which the following is a copy:

"To his Honour James deLancey Esq^re Lieut: Gov^r and Commander in Chief of the Prov^ce of New York ettc.

We the Traders (or Handlers) to Oswego most humbly beg leave to remonstrate to your Honour the many hazards and difficulties we are subject to, in our passage thither from the ill treatment we meet with from the Indians i. e. in passing the Mohawks and Conajohary Castles; they board our Battoes, with axes, knives ettc and by force take what Rum they think proper, hooping and yelping as if they Gloried in their depredations, and threatning Murder to any that oppose them, and on our arrival at the great carrying place the Oneida Indians force our goods from us at pleasure to carry over, and not content with making us pay a most exorbitant price, for each freight, but rob us of our Rum, stores and other goods, with a great deal of invective threatening language, and are generally so numerous that we are obliged to submit to those impositions, or run the risk of being murdered and robbed of every thing we have, and to put their schemes the better into execution they force away the High Germans, who generally attend with their horses, that we may be under a necessity of employing them, and paying whatsoever they please to demand.

We therefore humbly pray your honour, to take those our most severe grievances under due consideration, and fall upon such methods to redress them, as you in your great wisdom shall seem most expedient.

Accept of our most fervent prayers for welfare and prosperity, as we ever remain with all due defference, gratitude and esteem — Sir

Your Honour's most dutiful
and most humble servants.

Oswego June 1^st 1754. (to which 47, several names were signed)

The following Gentlemen were appointed a Committee to prepare the draught of a general speech to be made by his Honour to the Indians. Namely: — William Johnson, Samuel Wells, Theodore Atkinson, Elisha Williams, Martin Howard Jun^r Isaac Norris, Benjamin Tasker Jun^r Esq^rs to whom were delivered the aforesaid papers.

[Adjourned till to Morrow Morning.]

At a meeting at the Court House in Albany on Thursday the 20^th June 1754. A. M.

PRESENT — His Honour and the aforesaid Council of New York and several of the Commissioners.

The Committee appointed yesterday to prepare a draught of a general speech to be made to the Indians not being ready to make their Report [the Board] adjourned till to morrow morning.

At a Meeting in the Court House at Albany on Friday the 21st June 1754. A. M.

PRESENT— His Honr the Lieut Govr—
The Council of New York aforesaid,
All the Commissioners, and
Thomas Hutchinson Esqre one of the Commissrs of Massachusets Bay.

It was proposed by the Govr that to avoid all disputes about the precedency of the Colonies, they should be named in the Minutes according to their situation from North to South—which was agreed to.

Peter Wraxall Esqre was chosen Secretary to this Board.

The Committee delivered in their draught of the General Speech which was read thro' and afterwards paragraph by paragraph; objections were made to some parts, the Board not coming to any conclusion on the same they adjourned till to morrow morning.

At a meeting in the Court House at Albany on Saturday the 22d June 1754. A. M.

PRESENT—The Council of New York aforesaid, and all the Commissioners except John Chandler Esqr one of the Commissrs for Massachusets Bay.

The Consideration of the draught of the General speech was resumed, and one being agreed upon Mr Hutchinson and Mr Peters were desired to wait upon the Lieut Govr with the same.

Adjourned to Monday Morning.

At a meeting in the Court House at Albany on Monday the 24. June 1754. A. M.

PRESENT—The Council of New York aforesaid and all the Commissioners.

A motion was made, that the thanks of this Board be given to the Revd Mr Peters, one of the Commissrs for Pensilvania, for his sermon preached yesterday and that he be desired to suffer the same to be printed.—which was unanimously agreed to.

Mr Chambers and Mr Peters were desired to wait upon his Honour, to request him to administer an Oath to Mr Wraxall for the due and faithful discharge of his Office of Secretary to this Board.—adjourned to three o'clock this afternoon.

At a meeting as aforesaid Monday afternoon the 24 June 1754.

PRESENT—His Honour the Lieut Govr and the Council afores^d of the Province of New York and all the Commissrs

Mr Chambers and Mr Peters, Reported to the Board that Mr Wraxall had been swore into his Office by His Honour, comfortable[1] to their desire in the morning.

A motion was made, that the Commissrs deliver their opinion, whether a Union of all the Colonies is not at present absolutely necessary for their security and defence.

[1] [1] *Sic.* conformable. Official Record in *Johnson's Manuscripts*, I. —ED.

The question was accordingly put, and it passed in the affirmative unanimously.

His Honour the Lieut^{t} Gov^{r} made a proposal as a branch of the Indian Affairs under the considration of this Board, to build two Forts in the Indian Country to protect them, their Wives & children as the best expedient to secure their fidelity to His Majesty.—Which proposal the Board determined to proceed upon, after they had considered some Method of effecting the Union between the Colonies.

On a Motion that a Committee be appointed to prepare and receive Plans or Schemes for the Union of the Colonies, and to digest them into one general plan for the inspection of this Board.

Resolved, that each Govern^{t} chose one of their own number to be of that Committee.

Accordingly were appointed.

Thomas Hutchinson Esq: for Massachusets Bay.
Theodore Atkinson Esq^{r} for New Hampshire.
William Pitkin Esq. for Conecticut.
Stephen Hopkins Esq^{r} for Rhode Island
Benjamin Franklin Esq^{r} for Pennsylvania.
Benjamin Tasker Esq^{r} for Maryland

It was left to His Honour to appoint one of His Maj$^{ty's}$ Council for the Govern^{t} of New York, and he named William Smith Esq^{re}.

Adjourned till to morrow morning at 11 o'clock

At a Meeting in the Court house at Albany on Tuesday the 25th June 1754. A. M.

Present—Joseph Murray William Johnson John Chambers	Esq^{rs} of the Council of N. York.
Richard Wibbard Meschech Weare Henry Sherburne	Esqrs Commiss^{rs} for N. Hampshire.
Samuel Wells. John Chandler Oliver Patridge John Worthington	Esqrs Commiss^{rs} for the Massachusets Bay.
Roger Wolcott Elisha Williams	Esq^{rs} Commiss^{rs} for Connecticut.
Martin Howard Jun^{r}	Esq^{r} Commiss^{r} for Rhode Island.
John Penn Isaac Norris	Esq^{rs} Commiss^{rs} for Pennsylvania.
Abraham Barnes	Esq^{r} Commiss^{r} for Maryland.

The draught of the General speech not being returned to the Board from His Honour the Lieut: Gov^{r} of New York, adjourned till five o'clock this afternoon.

At a Meeting as aforesaid, Tuesday the 25th June 1754. P. M.

PRESENT—All the Gentlemen of the Council of N. York and all the Commissioners.

Mr Murray delivered to the Board for their approbation His Honour's alterations & additions to the draught of the speech presented to His Honour by Mr Hutchinson and Mr Peters, the 22nd inst: which were read to the Board by the Secretary, and the further consideration thereof was deferred till to morrow morning.

adjourned till 11. o'clock to morrow morning

At a meeting in the Court House at Albany on Wednesday the 26th June 1754. A. M.

PRESENT—William Johnson and John Chambers Esqrs of the Council of New York.
Samuel Welles, John Chandler, Thomas Hutchinson and Oliver Patridge Esqrs Commissrs for Massachusets Bay.
William Pitkin, Roger Wolcott & Elisha Williams Esqrs Commissrs for Connecticut.
Martin Howard Junr Esqr a Commissrs for Rhode Island.

The draught of the General speech, to the Six Nations was further debated, but not being fully concluded upon, the Board adjourned till 10 o'clock to morrow morning.

At a Meeting in the Court House at Albany on Thursday the 27th June 1754. A. M.

PRESENT—The four Gentlemen of the Council of New York and all the Commissioners.

The draught of the general speech was further debated, and not being fully concluded upon, the Board adjourned till 5 o'clock this afternoon.

At a Meeting in the Court House at Albany on Thursday the 27. June 1754. P. M.

PRESENT—The four Gentlemen of the Council of New York and all the Commissioners.

A motion was made that the Commissions or Powers from the several Governts should be made part of the Records of this Congress.

It was unanimously agreed to, and ordered to be prefixed to these Records.

The draught of the General Speech was settled, Read and unanimously approved of, & is as follows:

Brethren. I have invited you here by the command of the great King our Common Father, to receive a present from him, and in his name to renew the ancient Treaty between this and all his other Governts, and you our Brethren; and I have the pleasure to tell you, that by His Majtys order there are now present, Commissrs from Massachusets Bay, New Hampshire, Connecticut, Rhode Island, Pennsylvania and Maryland.

Virginia and Carolina likewise desire to be considered as present, altho' some great affairs which those Governts are engaged in, have prevented their sending Commissrs; we are glad to see our Brethren here in health, and heartily bid you welcome. A Belt.

Brethren. We condole your, and our loss in the death of some of your people since the last interview in this place, We wipe away all tears from your eyes, and take away sorrow from your hearts, that you may speak freely. 3. strings of Wampum.

Brethren, We come to strengthen and brighten the chain of friendship. It gives us great satisfaction, that you have lately added two links to the chain, the Shanihadaradighroones and the Tedderighroones, as it will always gives us pleasure to see your strength increased. This chain hath remained firm and unbroken from the beginning. This Belt will represent to you our disposition to preserve it strong and bright so long as the sun and moon shall endure and in the name of the Great King our Father, and in the behalf of all His Majᵗʸˢ Colonies, we now solemnly renew brighten and strengthen the ancient covenant Chain, and promise to keep the same inviolable and free from rust, and we expect the like confirmation and assurance on your part.— A Chain Belt

His Honour the Lieutᵗ Govʳ, explained this Chain Belt to them in the following manner:

Brethren. This represents the King our common Father—this line represents his arms extended, embracing all us the English and all the Six Nations—These represents the Colonies which are here present and those who desire to be thought present—These represents the Six Nations, and there is a space left to draw in the other Indians—And there in the middle is the line represented which draws us all in under the King our common Father."

The foregoing explanation having been given by His Honour at the time of his delivering the speech, doth not appear in the proceedings of the Congress, but stands in the Records of Indian Affairs and is therefore supplyed in this manner, [by]

(signed). Peter Wraxall Secr: for Ind: Aff:

Brethren. We are informed that you now live dispersed from each other contrary to the Ancient and prudent custom of your Forefathers; and as you are by this means exposed to the attempts of your Enemies, we therefore in the most earnest manner recommend to, and expect it from you, for your own safety, to collect yourselves together, and dwell in your National Castles; We desire you, brethren of the Onondaga Nation in particular to call in your Friends and relations to join you, especially those of your Nation who now lives at Osweegachio. A brave people separated from each other may easily fall a sacrifice, whereas united they may live secure and uninjured. A. Belt.

Brethren. We have some things to say to you of great importance. The Treatys, subsisting between us and you our Brethren, as well as the great affection we bear towards you, oblige us to mention it; The French profess to be in perfect friendship with us as well as you; notwithstanding this, they are making continual incroachments upon us both; they have lately done so, in the most insulting manner, both to the Northward and Westward. Your Fathers by their valour above one hundred years ago, gained a considerable Country, which they afterwards of their own accord put under the protection of the King of Great Brittain. The French are endeavouring to posess themselves of this whole Country, altho' they have made the most express Treaties with the English to the contrary.

Brethren. It appears to us that these measures of the French, must necessarily soon interrupt and destroy all Trade and intercourse between the English and the several Indian

Nations on the continent, and will block up and obstruct, the great roads which have hitherto lain open between you and your allies, and Friends who live at a distance.

We want to know whether these things appear to you in the same light as they do to us, or whether the French taking possession of the lands in your Country and building Forts between the Lake Erie, and the River Ohio, be done with your consent or approbation—

a large Belt.

Brethren. Open your hearts to us, deal with us as Brethren, we are ready to consult with you, how to scatter these Clouds that hang over us, this is a matter of so great weight that we think it best to defer mentioning any other affairs till you have considered this, least they should take away part of that attention which is necessary on so extraordinary an occasion.

A Belt.

adjourned till to morrow morning at 11 o'clock.

At a Meeting in the Court House at Albany Friday the 28th June 1754. A. M.

PRESENT—John Chandler, Oliver Patridge & John Worthington Esqrs Commissrs for Massachusets Bay.
Richard Wibbird Meschech Weare and Henry Sherburne Esqrs Commissrs for New Hampshire.
Roger Wolcott and Elisha Williams Esqrs Commissrs for Connecticut.
Martin Howard Junr Esqr a Commissr for Rhode Island.
John Penn Esqr one of the Commissrs for Pennsylvania.

The Board adjourned till 5 o'clock this afternoon.

At a Meeting in the Court house at Albany Friday afternoon the 28th June 1754.

PRESENT—The four Gentlemen of the Council of New York
All the Commissrs from Massachusets Bay,
All the Commissrs from New Hampshire.
All the Commissrs from Connecticut,
Stephen Hopkins Esqr one of the Commissrs from Rhode Island.
John Penn, and Benjamin Franklin Esqrs from Pensilvania.
Benjamin Tasker Junr Esqr one of the Commissrs from Maryland.

The Committee appointed the 24th inst: to prepare and receive plans and schemes for the union of the Colonies, presented short hints of a scheme for that purpose of which copies were taken by the Commissrs of the respective provinces.

Adjourned till to-morrow morning at 9 o'clock.

At a Meeting at the Court house in Albany on Saturday the 29th June 1754. A. M.

PRESENT—William Smith Esq^{r} one of the Council of New York and all the Commissioners.

His Honour the Lieut^{t} Gov^{r} of New York having given notice to this Board that he was going to speak to the Indians, the Board adjourned till 5 o'clock this afternoon and attended his Honour while he delivered the speech.

At a Meeting in the Court House at Albany on Saturday the 29th June 1754. P. M.

PRESENT—Joseph Murray, John Chambers & Will^{m} Smith Esq^{rs} of the Council of New York
All the Commiss^{rs} from Massachusets Bay
Theodore Atkinson and Richard Wibbird Esq^{rs} Commissioners for New Hampshire.
All the Commiss^{rs} from Connecticut.
The Commiss^{rs} from Rhode Island.
All the Commiss^{rs} from Pennsylvania
The Commiss^{rs} from Maryland.

The Board being informed that a considerable Number of Indians from Stock bridge, being of the Nation known by the name of the River Indians were in Town, a motion was made that his Honour the Lieut^{t} Gov^{r} might be acquainted with the circumstances of said Indians and desired to give orders for their support.

The said Motion was agreed to, and M^{r} Welles and M^{r} Franklin were appointed to wait on his Honour accordingly. The hints of a scheme for the Union of the Colonies were debated on, but come to no conclusion.

Adjourned to Monday morning at 9 o'clock.

At a Meeting at the Court house at Albany on Monday the 1st July 1754. A. M.

PRESENT—The Lieut^{t} Gov^{r} and the four Gentlemen of the Council of New York.
All the Commiss^{rs} for Massachusets Bay except John Chandler Esq^{r}
Theodore Atkinson and Henry Sherburne Esq^{rs} Commiss^{rs} for New Hampshire.
The Commiss^{rs} for Connecticut.
The Commiss^{rs} for Rhode Island.
All the Commiss^{rs} for Pennsylvania
The Commiss^{rs} for Maryland.

M^{r} Franklin reported to the Board that he had with M^{r} Welles (M^{r} Welles was not then present) waited on the Lieut^{t} Gov^{r}, and delivered the Message from the Board of Saturday last, relating to the River Indians living near Stock bridge, and that his Honour, was pleased to answer that he had not sent for those Indians, that he had consulted his Council, and

enquired of the Commissioners of Indian Affairs, and was informed that it had never been usual to afford subsistance to those Indians at any Treaty in Albany, that it was a great expence to New York to maintain the other Indians, that those properly belonged to Massachusets Bay Govern^{t} and it appeared to him, that they should be supported by that Govern^{t}.

Upon a Motion, the Records of Indian affairs of New York were sent for, and it appeared that the River Indians have usually been present at the Treaties with the Six Nations, and that a speech has always been made to the said River Indians, and it was moved to the Lieut^{t} Governour of New York that he would now speak to them in the name of the Commiss^{rs} from the several Colonies, and also give orders for their support.

His Honour agreed to the proposal of speaking to them, and offered to give orders for their support but was pleased to say that he expected the Commiss^{rs} for the several provinces would contribute to the charge of it.

His Honour delivered to the Board copys of two Minutes of Council which are as follows:

At a Council held in the City of Albany the 27th June 1754. P. M.

PRESENT—The Hon^{ble} James de Lancey Esq^{r} Lieut^{t} Govern^{r}
M^{r} Murray, Coll: Johnson, M^{r} Chambers, M^{r} Smith.

His Honour being informed by the Indian Interpretor that the lower Castle of the Mohawk Indians now in this City, had some business to lay before him, and desired to be admitted to an Audience, appointed them to attend at 4 o'clock this afternoon, in Council, and they attending accordingly, were introduced with the Interpreter.

The Gov^{r} told them he was very glad to see them, that he was now met in Council & ready to hear what they had to say.

Whereupon Canadagara their Speaker addressing himself to his honour spoke as follows:

Brother. We are here this day by God's will, and your Honour's order, to which place you have led us as it were by the hand; this is our old meeting place, where if we have any grievances, we can lay them open. You are lately come to the Administration, and we are glad to see you, to lay our complaints before you. We take it very kind, you have given us this opportunity to unfold our minds, and we will now proceed to declare our grievances.

Brother. We shall now open our minds, and we beg you will take time to consider what we shall say, and not give us too hasty an answer, or in two or three words, and then turn your back upon us. As you are a new Gov^{r} we beg you will treat us tenderly, and not as the former Gov^{r} did, who turned his back upon us, before we knew he intended to depart, so that we had no opportunity to finish our business with him. The reason, we wish you would treat us in this tender manner, is, because this is the place where we are to expect a redress of our grievances, and we hope all things will be so settled that we may part good friends.

Brother. We told you a little while ago, that we had an uneasiness on our minds, and we shall now tell you what it is; it is concerning our land. We understand that there are writings for all our lands, so that we shall have none left but the very spot we live upon and hardly that; we have examined amongst the elderly people, who are now present, if they have sold any of it, who deny that they ever have, and we earnestly desire, that you will take this into consideration, which will give us great satisfaction, and convince us that you have a friendship

for us; we dont complain of those who have honestly bought the land they possess, or those to whom we have given any, but of some who have taken more than we have given them; We find we are very poor, we [thought we] had yet land round about us, but it is said there are writings for it all. It is one condition of the ancient Covenant chain, that if there be any uneasiness on either side, or any request to be made, that they shall be considered with a brotherly regard, and we hope you will fulfill that condition on your side, as we shall be always ready to on ours; we have embraced this opportunity of unbosoming ourselves to you, with regard to our Castle, and we are well assured that the other Castle of the Mohawks, have complaints of the same nature to make, when they come down. We have now declared our grievances, and the Conajoharys will declare theirs, but that we shall leave to them. By this Belt we desire you to consider what we have said, and by the same we inform you that the Five Nations, have some things to say to you before you speak to them. Gave a Belt.

The Gov^{r} said:

You have now unbosomed yourselves to me, & desire I would seriously consider of what you have said, and not give you a hasty answer.

I will consider of it seriously, and you shall always find me ready to redress any of your Grievances as far as it may by in my power. But your complaints are general, I must therefore desire you to tell me, where those lands lye and the Names of the persons of whom you complain.

To which the Speaker answered:

Brother. We are told, a large Tract of land has been taken up called Kayadarosseras, beginning at the half Moon, and so up along Hudson's River to the third fall, and thence to the Cacknowaga or Canada-creek, which is about four or five miles above the Mohawks, which upon enquiry among our old Men we cannot find was ever sold, and as to the particular persons, many of them live in this Town, but there are so great a Number we cannot name them.

The Gov^{r} said:

I will send for some of the Patentees or the persons claiming that land, and hear what they have to say, and consider the matter and give you an answer before you leave this place. It is agreable to Justice to hear both parties, before a judgement is given; and to manifest my friendship for you, I will do you all the Justice in my power.—

A true copy exam^{d} by G. Banyar D. C. of the Council

At a Council held in the City of Albany the 28th June 1754.

Present—The Hon^{ble} James De Lancey Esq^{r} Lieut^{t} Gov^{r} ettc.
M^{r} Murray, Coll: Johnson, M^{r} Chambers M^{r} Smith.

His Honour being informed that the Conajohary or the upper Castle of the Mohawk Indians, and several Sachims of each of the other five Nations, attended without, and desired to speak to him, they were introduced with the Interpretor.

Hendrick their Speaker spoke as follows:

Brother. We had a message from you some time ago, to meet you at this place where the fire burns; we of Conajahary met the Messenger you sent with a letter at Coll: Johnson's, and as soon as we received it, we came down running, and the Six Nations are now here compleat.

The Govr said:

Brethren of the Six Nations you are welcome. I take this opportunity now you are all together to condole the loss in the death of your friends and relations, since you last met here, and with this string of Wampum, I wipe away your tears, and take sorrow from your hearts, that you may open your minds and speak freely. A String of Wampum.

Hendrick replyed:

Brother. We thank you for condoling our loss, and wiping away our tears, that we may speak freely, and as we do not doubt, but you have lost some of your great Men and friends, we give you this string of condolence in return that it may remove your sorrow, and that we may both speak freely. Gave a string.

Then Hendrick addressing himself to the Six Nations said: That last year he attended Coll: Johnson to Onondaga, to do service to the King and their people; that Coll: Johnson told them a New Govr was expected soon, and they would then have an opportunity of seeing him at Albany, and laying their grievances before him.

That the New Govr arrived soon after and scarcely had they heard of his arrival but they had an account of his death, and that now he was glad to see his Honour, to whom he would declare his grievances—and then proceeded.

Brother. We thought you would wonder why we of Connajohary staid so long, we shall now give you the reason. Last Summer we of Connajohary were down at New York to make our complaints, and we then thought the Covent Chain was broken, because we were neglected; and when you neglect business, the French take advantage of it, for they are never quiet.

It seemed to us that the Govr had turned his back upon the Five Nations, as if they were no more, whereas the French are doing all in their power to draw us over to them.

We told the Govr last summer, we blamed him for the neglect of the Five Nations, and at the same time we told him, the French were drawing the Five Nations away to Osweegachie owing to that neglect, which might have been prevented, if proper use had been made of that warning, but now we are affraid it is too late. We remember how it was in former times when we were a strong and powerful people, Coll: Schuyler used frequently to come among us, and by this means we were kept together.

Brother. We the Mohawks are in very difficult circumstances, and are blamed for things behind our backs which we dont deserve. Last Summer when we went up with Coll: Johnson to Onondaga, and he made his speech to the Five Nations, the Five Nations said, they liked his speech very well, but that the Mohawks had made it. We are looked upon by the other Nations, as Coll: Johnson's Councellors, and supposed to hear all news from him, which is not the case; for Coll: Johnson does not receive from, or impart much news to us; this is our reason for staying behind, for if we had come first, the other Nations would have said, that we made the Govrs speech, and therefore tho' we were resolved to come, we intended the other nations should go before us, that they might hear the Govrs speech, which we could hear afterwards.

There are some of our People who have large open Ears and talk a little broken English and Dutch, so that they sometimes hear what is said by the Christian settlers near them, and

by this means we came to understand, that we are looked upon to be a proud Nation, and therefore staid behind. Tis true, and known we are so, and that we the Mohawks are the head of all the other Nations; here they are, and they must own it; but it was not out of pride we Connajoharys staid behind, but for the reasons we have already given.

His Honour answered:

Brethren of Connajohary.—You have now told me the reason why you stayed behind, because you would not be blamed, by the other Nations as you have been before. I am satisfyed with what you say, that your staying behind did not proceed from pride.

You tell me you have large open Ears, and that some of you understand a little of the language of the settlers about you, but I must caution you not to hearken to common reports, neither of us or your Brethren of the other Nations; I desire that we may all speak freely, and open our hearts to each other, and so remove any jealousies from amongst us.

I hope that at another interview, you will all be more punctual, and keep as near as you can to the time appointed. You are sensible it must be very inconvenient to me and the Commiss^{rs} from the other Govern^{ts} to be detained so long in this place, at so great a distance from our homes.

a true copy, Exam^{d} by G. Banyar. [D. C. of y^{e} C^{l}.]

A motion was made that a Committee should be appointed to draw up a representation of the present state of the Colonies. Which was agreed to, and that the Gentlemen who were appointed to prepare and receive Plans or Schemes for the union of the Colonies the 24th: ult: should be a Committee for this purpose.

The plan for a Union of the Colonies was debated but the Board came to no resolves upon it.

Adjourned to nine o'clock to morrow morning.

At a meeting in the Court House at Albany on Tuesday the 2nd July 1754. A. M.

Present—All the Commiss^{rs} from Massachusets Bay, New Hampshire, Connecticut, Rhode Island, Pennsylvania and Maryland.

After the debates held on the plan of an Union, it was moved; if the Board should proceed to form the plan of a Union of the Colonies, to be establised by an Act of Parliament.

Whereupon it was move[d] to put the previous question, which passed in the negative.

The Question was then put, whether the Board should proceed to form a plan of a Union of the Colonies to be established by [an] Act of Parliam^{t} which passed in the affirmative.

adjourned to 3 o'clock in the afternoon.

At a meeting as aforesaid on Tuesday the 2nd July 1754. P. M.

Present—The Lieut^{t} Gov^{r} and the four Gentl^{n} of the Council of New York and All the Commiss^{rs} from the several Govern^{ts} above mentioned.

The answer of the Six Nations to the general speech made to them on Saturday last by His Honour the Lieut^{t} Gov^{r} of New York, in His Maj$^{ty's}$ name, and in the presence and behalf of the several Govern^{ts} on the continent therein named, was read and is as follows:

Abraham, a Sachem of the upper Castle of the Mohawks rose up and said.

Brethren.—You the Gov^{r} of New York and the Commiss^{rs} of the other Govern^{ts} are you ready to hear us?

The Gov^{r} replyed they were all ready.

Then Hendrick brother to the said Abraham, & a Sachem of the said Castle, rose up, and spoke on behalf of the Six Nations as follows:

Brethren—Just now you told us, you were ready to hear us, hearken to me.

Brother Corlaer, and brothers of the other Govern^{ts}

Saturday last you told us that you came here by order of the Great King our common Father, and in his name, to renew the ancient chain of friendship between this and the other Govern^{ts} on the Continent and us, the Six united Nations; and you said also that there were then present, Commissioners from Massachusets Bay, New Hampshire, Connecticut, Rhode Island, Pennsylvania and Maryland, and that Virginia and Carolina desired to be considered also as present.

We rejoyce that by the King's Orders we are all met here this day, and are glad to see each other face to face; We are very thankful for the same, and we look upon the Gov^{rs} of South Carolina & Virginia as also present. Gave a Belt.

Brethren. We thank you in the most hearty manner for your condolence to us, we also condole all your friends and Relations, who have died since our last meeting here.

Gave 3. strings of Wampum.

Brethren. (holding the Chain Belt given by his Honour and the several Govern^{ts} in his hand) We return you all our grateful acknowledgements for renewing and brightening the covenant Chain. This Chain Belt is of very great importance to our united Nations, and all our Allies, we will therefore take it to Onondaga, where our Council Fire always burns, and keep it so securely that neither Thunder nor Lightning shall break it; there we will consult over it, and as we have lately added two links it, so we will use our endeavours to add as many more [links] to it as lyes in our power; and we hope when you show this Belt again, we shall give you reason to rejoyce at it, by your seeing the vacancys in it filled up (referring to His Honour's explanations of it in the general speech) In the mean time we desire, that you will strengthen yourselves, and bring as many into this Covenant Chain as you possibly can.—

We do now solemnly renew and brighten the Covenant Chain with our Brethren here present, and all our other absent Brethren on the Continent.

Brethren. As to the accounts you have heard of our living dispersed from each other 'tis very true.

We have several times endeavoured to draw off those our Brethren who are settled at Osweegatie but in vain, for the Gov^{r} of Canada is like a wicked deluding spirit; however, as you desire we shall persist in our endeavours.

Your have asked us the reason of our living in this dispersed manner. The reason is, your neglecting us for these three years past (then taking a stick and throwing it behind his back) you have thus thrown us behind your back, and disregarded us, whereas the French are a subtle and vigilant people, ever using their utmost endeavours to seduce and bring our people over to them.— Gave a Belt.

Brethren. As to the encroachments of the French, and what you have said to us on that article in behalf of the King our Father, as these matters were laid before us as of great importance, so we have made a strickt enquiry amongst all our people, if any of them have either sold or given the French leave to build the Forts you mention, and we can not find that either any sale has been made, or leave has been given, but the French have gone thither without our consent or approbation nor ever mentioned it to us.

Brethren.—The Gov^{r} of Virginia, and the Gov^{r} of Canada are both quarrelling about lands which belong to us, and such a quarel as this may end in our destruction; they fight who shall have the land. The Gov^{rs} of Virginia and Pennsylvania have made paths thro' our Country to Trade and built houses without acquainting us with it, they should first have asked our consent to build there, as was done when Oswego was built.— Gave a Belt.

Brethren. It is very true as you told us that the Clouds hang heavy over us, and 'tis not very pleasant to look up, but we give you this Belt (giving a Belt) to clear away all Clouds that we may all live in bright sunshine, and keep together in strict union and friendship; then we shall become strong and nothing can hurt us.

Brethren. This is the ancient place of Treaty where the Fire of Friendship always used to burn, and 'tis now three years since we have been called to any publick Treaty here; Tis true there are Commiss^{rs} here, but they have never invited us to smoak with them, (by which they mean the Commiss^{rs} had never invited them to any conference), but the Indians of Canada, come frequently and smoak here, which is for the sake of their Beaver, but we hate them (meaning the French Indians) we have not as yet confirmed the peace with them. *Tis your fault Brethren that we are not strengthened by conquest, for we would have gone and taken Crown Point, but you hindered us; we had concluded to go and take it, but we were told it was too late, and that the Ice would not bear us; instead of this, you burnt your own Forts at Seraghtoga and run away from it, which was a shame & a scandal to you. Look about your Country & see, you have no Fortifications about you, no, not even to this City, tis but one Step from Canada hither, and the French may easily come and turn you out of your doors.*

Brethren. You desire us to speak from the bottom of our hearts, and we shall do it. Look about you and see all these houses full of Beaver, and the money is all gone to Canada, likewise powder, lead and guns, which the French now make use of at Ohio.

Brethren. The goods which go from hence to Oswego, go from thence to Ohio which further enables the French to carry on their designs at the Ohio.

Brethren. You were desirous that we should open our minds, and our hearts to you; look at the French, they are Men, they are fortifying everywhere—but, we are ashamed to say it, you are all like women bare and open without any fortifications.

Here Hendrick ended his speech, his Brother Abraham then rose up & said:

Brethren. We would let you know, what was our desire three years ago when Coll: Johnson laid down the management of Indian Affairs, which gave us great uneasiness; the Gov^{r} then told us, it was not in his power to continue him, but that he would consult with the Council at New York, that he was going over to England and promised to recommend our desire that Coll: Johnson should have the management of Indian Affairs to the King, that the new Gov^{r} might have power to reinstate him; we long waited in expectation of this being done, but hearing no more of it, we embrace this opportunity of laying this Belt (& gave a Belt) before all our Brethren here present, and desire them that Coll: Johnson may be reinstated and have

the Management of Indian Affairs, for we all lived happy, whilst they were under his management, for we love him, and he us, and he has always been our good, and trusty Friend.

Brethren. I forgot something. We think our request about Coll: Johnson, which Gov^r Clinton promised to carry to the King our Father is drowned in the sea. The fire here is burnt out, and (turning his face to the New York Commiss^rs of Indian Affairs at Albany who were there present) desired them to take notice of what he said.

Which answer from the Indians was debated paragraph by paragraph, and those Gentlemen who were appointed a Committeè to prepare a General speech the 19^th ult: were now appointed to draw up a reply.

Adjourned till to morrow morning at 9 o'clock.

At a Meeting in the Court House at Albany on Wednesday the 3^rd July 1754. A. M.

PRESENT—John Chambers and William Smith Esq^rs of the Council of New York.
Samuel Welles, John Chandler and Oliver Patridge Esq^rs Commiss^rs from Massachusets Bay.
Theodore Atkinson and Richard Wibbird Esq^rs Commiss^rs from New Hampshire
[The Commissioners from Connecticutt]
Martin Howard [Jun^r] Esq^re a Commiss^r from Rhode Island.
All the Commiss^rs from Pennsylvania.
Benjamin Tasker Esq^r one of the Commiss^rs from Maryland.

A draught of the reply proposed to be made to the speech of the 6 Nations of the 1^rt inst which the Committee appointed yesterday afternoon had drawn up, was read.

M^r Chambers desired to carry it to His Honour the Lieut^t Gov^r for his opinion — which was agreed to.

Took their seats at the Board.

His Honour the Lieut^t Gov^r
Joseph Murray and William Johnson Esq^rs of the Council of New York.
Thomas Hutchinson and John Worthington Esq^rs Commiss^rs for Massachusetts Bay.
Meschech Weare and Henry Sherburn Esq^rs Commiss^rs for New Hampshire.
Stephen Hopkins Esq^r one of the Commiss^rs for Rhode Island.
Abraham Barnes Esq^r one of the Commiss^rs from Maryland.

His Honour laid before the Board several[1] matters, which he proposed to be inserted in the Reply to be made to the Six Nations, which together with the draught from the Committee was read and debated.

The Commiss^rs from Pennsylvania also laid before the Board an addition in behalf of their province and proposed it to be added to the Reply. The Commiss^rs from Massachusets, New Hampshire and Connecticut, proposed also some additions.

These several draughts being read & considered the following reply to the Six Nations was agreed upon by the Board.

[1] certain. *Johnson Manuscripts*, I. — ED.

Brethren. It gives us great pleasure to see you so ready to renew and brighten the ancient Chain of friendship, we wish the further extention of it, and shall not fail joyning our utmost endeavours for that purpose.

Brethren. We are [very] sorry that any neglect has been shewn to you, and we hope that nothing of that kind will happen hereafter, or any misunderstanding arise between you and any of his Majᵗʸ's Governᵗ. You are our old and steady friends, we assure you not one thought has ever come into our minds of rejecting you, our hearts have ever been warm towards you, and we now gladly meet and open our hearts to you. The Covenant is renewed, the Chain is brightened, the Fire burns clear, and we hope all things will be pleasant on both sides for the future. A Belt.

Brethren. We gladly understand that you gave no countenance to the French, who went to Ohio, and have entered on your lands, they are always your and our open or secret Enemies; you did put this land under the King our Father, he is now taking care to preserve it for you; for this end, among others, he has directed us to meet you here, for although, the land is under the King's Governᵗ, yet the property or power of selling it to any of his Majᵗʸ's subjects having authority from him, we always consider as vested in you.

Brethren. You say that the Govʳ of Virginia and Canada, are fighting about lands belonging to you, and the Govʳˢ of Virginia & Pennsylvania have opened new roads and built houses at Ohio.

What you say, is a great surprise to us. We all know that for five years past, in the face of all the six Nations in open daylight, the French have been marching Troops into that Country, which we ever did, and do still acknowledge to belong to you, tho' within your Father the King of Great Brittain's Dominions, and under his protection, & the French did publish every where, their designs to build Forts and drive away the English Traders, and they did carry them into execution by seizing the Traders, and did last year actually build two Forts in that Country.

But we never heard notwithstanding these open Hostilities of the French, that ever Virginia or Pennsylvania, sent one Soldier or built one house for their or your protection, till this present year.

It is fortunate that Mʳ Weiser who transacts the publick business of Virginia & Pennsylvania [with your Nations] and is one of your Council and knows these matters well, is now present, hear the account he gives, and that will set this matter in a true light.

Mʳ Weiser was to say as follows:

Brethren. The Road to Ohio is no new Road; [it is an old and frequented Road;] the Shawanese and Delawares removed thither above thirty years ago from Pennsylvania; ever since which that Road has been travelled by our Traders at their invitation, and always with safety, until within these few years, that the French with their usual faithlessness, sent armies there, threatened the Indians and obstructed our trade with them.

The Govʳ of Virginia observing these hostilities in time of full peace, sent His Majᵗʸ an account of them; his Majᵗʸ was pleased to order his Govʳ to hold an interview with the Six Nations to consult measures with them, how to put a stop to these French proceedings, equally injurious to them, as to his subjects, and that they might better know them.

It was thought the interview might best be held at some place near the Country where these hostile proceedings were carried on; His Majᵗʸ likewise ordered a present to the Six Nations,

as a further token of his affection for them. Accordingly Mr Weiser in 1750. was sent to Onondaga by the Govr of Virginia, and invited the Indians to come, and treat at Fredericksburgh in that Province, and receive the King's present, but could not prevail. The Govr of Virginia finding the French still continuing their hostilities sent Commissrs in 1751. to the Indians at Ohio, and delivered them the King's present, and by a Belt of Wampum proposed, that a strong house might be built near the mouth of the Mohongahela, for their mutual protection; the Indians made answer, that they were well pleased with the proposal, and would send that Belt to Onondaga, and joyn one of their own to it. Nothing was heard of this Belt, and the last year the French invaded the Country of Ohio, with a strong hand, whereupon the Indians residing there, your flesh & blood, sent repeated messages to the Govr of Virginia, to send his young Men to their Assistance, but he being a person of great forethought and prudence still forbore to do it, and instead thereof sent two Messages by Mr Andrew Mentour, to Onondaga, for your advice how to act. It happened that no Council could be called at either time, the Chiefs of Onondaga, desired Mr Mentour to tell their Brother the Govr of Virginia, to act cautiously, and let the French strike the first blow.

The French then coming nearer and nearer, Tanacharisson (otherwise called the Half King) was sent to them by the united Nations at Ohio, together with the Shawanese and Delawares to forewarn them off their land, in the mean time other chiefs of these several Nations came to Virginia and Pennsylvania, and told us what they had agreed upon, in Council, to wit: that they, the rest of the Chiefs should come to us and desire us to call our people from over the Aleghany Hills, to prevent bloodshed between the English and French; but when these Indians returned, and found that the French paid no regard to their warning, but told them positively, that if they opposed their taking posession of that Country, they would cut them off, they sent repeated Messages to the Govrs of Pennsylvania and Virginia, to apprize them of their, the Indians immediate danger, telling them they would find nothing but the ashes of their houses and their bones, if they did not forthwith send warriours and build them a house to fly to, having a late example before their eyes, in, that the French had fallen upon their brethren the Tweeghtwees on a sudden and killed them in their houses as well as some English who were then Trading with them.

On this melancholy account the Govr of Virginia agreable to the request of the Indians sent people to build a house at the mouth of Mohongahela, but before they had finished it, the French came down the River, with a Thousand Men and 18 cannon, and told the people who were building it, and were but forty four in number, that they might[1] either fight or give up posession, which last they were obliged to do, on account of the superior force of the French.

Brethren. This is the truth, which we have thought proper to relate so particularly, that the prudent and cautious conduct of Virginia might be known to the Six Nations. As to Pennsylvania, they have never sent a warriour, or built a Fort at Ohio. This Belt is given to confirm what is said, and that you may remember what has been now related to you. A Belt.

Here Mr Weiser's relation ends.

Brethren. You told[2] us we are open and defenceless, we are consulting how far it will be necessary to fortify our frontiers, at the same time we expect you take care to keep your people from going over to the French.

[1] must. *Johnson Manuscripts*, I. [2] tell. *Ibid.* — Ed.

We are able when united with you to resist any force the French and their Allies, can bring against us.

(The following paragraphs were to be spoken by the Govr of New York in his own name)

Brethren. You have told me, that this is the place of Treaty; that 'tis now three years ago since you were asked to smoake a pipe here; that there are Commissrs but they have never invited you to smoak with them.

It was their duty on their appointment to acquaint you with it, and to invite you to smoak with them to rekindle the fire, which was then almost extinguished, and if they had done it earlier, and before I sent them directions it would have been very agreable to me.

Brethren. You say the houses here are full of Beaver; this is a Trading place, and the Merchants have a right to traffick for Beaver or other skins, which they sometimes pay for in goods and sometimes in money, but as to what you say about Guns, and powder being sold to the French, I have made all the enquiry I could into this matter, and am assured you are misinformed, for that neither guns nor powder are sold by any persons here to the French.

Brethren.—You tell me that whilst Coll: Johnson had the management of Indian affairs you all lived happy, that you loved him and he you, and that he has always been your good and Trusty friend; I am very sensible you had good reason to look upon him, in this light and fully convinced that he is still your Friend, but as this is the place where the ancient fire was kindled which was nearly burnt out, & as Coll: Johnson for some reasons declined the management of Indian Affairs, it was thought proper to rekindle the fire here, by appointing Commissrs whom I shall direct to receive and consult with you, upon all business that may concern our mutual interests, and [I] expect that you will for the future apply to them according to the Custom of your forefathers, to tell your news, and in return to receive from them what shall be thought necessary to be imparted to you, and I will give them directions that they treat you, with the affection due to you as Brethren. I will make tryal of them another year, and if you do not meet with the kind treatment you have a right to expect, complain to this Governt and effectual measures shall be taken for your satisfaction. Gave a Belt.

(The following was to be spoken by Mr Killogg I[n]terpreter from Massachusets Bay).

Brethren. We have agreed to tell all News, & take Council together, we can not part till we have told you the News from New England, tho' at a considerable distance from you, The French have the same bad designs there, as well as at Ohio, they are very fond to get Kennybeck River; we have news of their beginning a Fort at the head of that River; a priest of theirs has built a house a great way down that River, Governour Shirley has raised 800 Men, and is gone down to drive them away and to build an English Fort at the head or far up the said River Kennybeck. We have news also that the French are building a Fort up Conecticut River, northward of Cowass; the Govr of New Hampshire has now sent a Compy of Men up that River to enquire into that fact, and if true to drive them immediately off. In another part of the Governt of New Hampshire a number of the St Francis Indians, have lately taken a family consisting of a Man and his wife and three Children, and carryed them into captivity from an out settlement on Merrismack River, and this contrary to their solemn engagements at a Treaty held with them.

We have also news that a number of Indians had murdered twenty one English Fishermen at Canso, and had carried their Scalps, to Cape Breton where they were well received, and 'tis said rewarded.

The Board then adjourned till to morrow morn^{g} at 9 o'clock.

At a meeting in the Court house at Albany on Thursday the 4th July 1754. A. M.

PRESENT—The four Gentlemen of the Council of New York
All the Commiss^{rs} for the several Govern^{ts}

The plan for a Union of the Colonies was debated but nothing finally determined on—adjourned to 3 o'clock this afternoon.

At a meeting as above on Thursday the 4th July 1754. P. M.

PRESENT—All the Commiss^{rs} for the several Govern^{ts}

The plan for a Union was further considered but no resolves made thereupon.

The Board receiving a message from His Honour the Lieut^{t} Gov^{r} of New York, that the Indians were seated in order to speak to his Honour and the Commiss^{rs} the Board adjourned to 9 o'clock to morrow morning and waited upon the Gov^{r}.

At a meeting in the Court house at Albany on Friday the 5th July 1754. A. M.

PRESENT—All the Commiss^{rs} for the several Govern^{ts}

The rejoinder of the Six Nations spoke yesterday afternoon was read, to the Board and ordered to be minuted as follows: (The following speech is chiefly a Rejoinder to the reply made to the Six Nations on the 3rd inst:)

Brother of New York—Brethren of the several Govern^{ts}.—We on our side are equally as much rejoiced as you have expressed yourselves on the renewing and brightening the ancient covenant chain between all His Maj^{tys} Govern^{ts} on the continent and us of the Six United Nations.

As to what the Gov^{r} of New York told us yesterday relating to the Commiss^{rs} of Indian affairs at Albany, we are much obliged to him for his promise to direct them to take due notice of us for the future, that he will try them for one year longer, and for giving us leave to acquaint this Govern^{t}, if they do not treat us as Brethren.

Brethren. We have told the Gov^{r} of New York how Coll: Johnson has behaved to us, and our opinion of him, and the danger we thought ourselves in by his leaving off the management of Indian Affairs, if he fails us, we die—however we agree to what the Gov^{r} has proposed to us—he is Master of all to do what he pleases, and we submit the whole affair to him.

Gave a Belt.

Brethren. We are very thankful to the King our Father for ordering Commiss^{rs} from so many Govern^{ts} to meet here in order to enquire into all matters relating to us and to put every

thing upon [a] right footing. We rejoice that we have opened our hearts to each other, and we return the Gov^{r} and all the Commiss^{rs} from the several Govern^{ts} our thanks for the same.

Brethren. Some time ago the King our Father sent a present to the Gov^{r} of Virginia, who sent a Messenger to the Six Nations that we should come down to Virginia and receive it, but we could not come; we have since been informed that the present was sent to Ohio (the speaker then proceeded to repeat the substance of what was said to them yesterday on the part of the Govern^{ts} of Virginia and Pennsylvania by their Interpreter M^{r} Weiser.) We allow that the Road from Pennsylvania to Ohio is no new Road, but has been travelled these thirty years by the Traders.

We thank the Gov^{r} of Virginia for assisting the Indians at Ohio, who are our Brethren[1] & Allies, and we approve of the Gov^{r} of Pennsylvania's not having hitherto intermeddled in this affair, he is a wise and prudent Man, and will know his own time.

We return the Gov^{r} of New York, and all the other Govern^{ts} our most hearty thanks (here the Speaker made bows to his Honour and all the Commiss^{rs}) for the promise of protection given us, of our lands, and the acknowledgement that the right of selling it is in us.

Gave a Belt.

Brethren. *We put you in mind in our former speech of the defenceless state of your Frontiers, particularly of this City* [, *of Schenectady*] *and of the Country of the Five Nations. You told us yesterday you were consulting about securing both, yourselves & us. We beg you will resolve upon something speedily. You are not safe from danger one day. The French have their hatchet in their hands, both, at Ohio and in two places in New England. We dont know but this very night they may attack us. One of the principal reasons why we desire, you will be speedy in these matters is, that since Coll: Johnson has been in this City, there has been a French Indian at his house, who took measure of the wall round it and made very narrow observations on every thing thereabouts. We think him (Coll: Johnson) in very great danger, because the French will take more than ordinary pains either to kill him, or to take him prisoner, upon account of his great interest among us, and being also one of the Five Nations* (Coll: Johnson is one of their Sachems). Upon this they gave four strings of Wampum.

(The Board having ordered this Rejoynder of the Six Nations to be only so far recorded in their proceeding, the remainder of their said rejoynder is by order of his Honour the Lieut^{t} Gov^{r} supplied after this manner from the Records of Indian Affairs, that these proceedings of the Congress may compleat all that passed at the publick conferences with the Indians. The remainder of their said speech is as follows:)

Brethren. There is an affair about which our hearts tremble and our minds are deeply concerned; this is the selling of Rum in our Castles. It destroys many both, of our old and young people. We request of all the Govern^{ts} here present, that it may be forbidden to carry any of it amongst the Five Nations.

Brethren. We are in great fears about this Rum, it may cause murder on both sides. We dont want it to be forbid to be sold us in Albany, but that none may be brought to our Castles. The Cayouges now declare in their own name, that they will not allow any Rum to be brought up their River, and those who do must take the consequences.

Brethren. We the Mohawks of both Castles have also one request to make, which is, that the people who are settled round about us may not be suffered to sell our people Rum; it keeps them all poor, makes them idle & wicked; if they have any money or goods they lay

[1] Relations. *Johnson Manuscripts*, I. — Ed.

it all out in Rum, it destroys virtue and the progress of Religion amongst us. (the lower Castle of the Mohawks have a Chapel and an English Missionary belonging to it).

We have a friendly request to make to the Govr and all the Commissrs here present, that they will help us to build a Church at Connojohary, and that we may have a Bell in it, which together with the putting a stop to the selling of Rum, will tend to make us Religious and lead better lives than we do now.

Brethren. We have now fully opened our hearts to you except about the land belonging to the Cannojoharys which caused us to go down to New York last year. The Govr knows what our complaint is, and we now desire to know, when that affair will be settled, as it was promised that satisfaction should be given us on that article.

Here Hendrick ended his speech.

Mr Penn one of the Commissrs from Pennsylvania, declared that himself in conjunction with the other Commissrs for that Governt were about purchasing from the Six Nations a tract of land within the boundaries of the said Governt below the lattitude 42°; and the Indians also then published their intention of making the said sale at the Commissrs Lodgings.

The Govr spoke to the Indians and told them: That as to what they had said about Rum, he would give them an answer to morrow morning, that he had received a present for them from the King their Father, and another from this Governt, which he would give him to morrow morning, when he would also give them an answer to those other particulars which require one. As I have given you satisfaction with respect to one of your complaints about your land, and you have consented that an enquiry into any other shall be deferred until I arrive at N. York, I shall not now say anything further to you on that affair. (Extracted from the Records of Indian Affairs by me Peter Wraxall—Secrty).

The Board then proceeded to consider the plan for a Union, but did not go thro' with it. adjourned to 9 o'clock to morrow morning.

At a Meeting held in the Court house at Albany on Saturday the 6th July 1754. A. M.

PRESENT—All the Commissrs for Massachusets Bay
William Pitkin and Roger Wolcott Esqrs Commissrs for Connecticut—
The Commissrs for Rhode Island.—
John Penn, Isaac Morris,[1] & Benjamin Franklin Esqrs Commissrs for Pennsylvania.
The Commissrs for Maryland.

His Honour the Lieutt Govr sent to the Board the speech he proposed to make to the River Indians, which the Board agreed to with a small addition, which was sent in writing to his Honour.

The Board having been informed by Mr Peters "that the Lieutt Govr of New York sent for "him last night, and told him, his provisions were expended, and he could no longer maintain "the Indians, and expected the Commissrs would maintain them, and gave him the list of what "had been allowed pr day to the Five Nations, exclusive of the River Indians" The Board

[1] Norris. *Johnson Manuscripts*, I.—ED.

thereupon resolved: that they would take the charge of supporting the Indians upon themselves.

Meshech Weare and Henry Sherburne Esq^{rs} Commiss^{rs} for New Hampshire took their seats.

The Committee appointed the 1st inst: to draw up a representation of the present State of the Colonies with relation to the French delivered the same to the Board, which was read, & ordered to lay upon the Table for the consideration of the Commiss^{rs}

The Secretary presented to the Board a draught of the speech which his Honour proposed to deliver to the Six Nations this afternoon, and also the following Message from his Honour: "that the Board would please to send him any alterations or additions which they might think "proper to be made to the said draught — that his Honour, intended when he made the "speech, to read to them the Act of the General Assembly of New York concerning the sale "of Rum to the Indians, and that he also recommended the request of the upper Castle of "the Mohawks for a Church to the Board."—

The Secretary also brought back his Honour's approbation to the small addition proposed to be made to the speech intended to be made to the River Indians, which speech is as follows:

Brethren. I have sent for you here to give you fresh assurances of the Great King your Father's protection, and that we might with the Commiss^{rs} whom you now see assembled here from the Govern^{ts} of Massachusets Bay, New Hampshire, Connecticut, Rhode Island, Pennsylvania and Maryland, strengthen and brighten the Covenant Chain.

We are glad to see you at this [your] old meeting place, and we do now, in His Maj$^{ty's}$ name, and in behalf of all the Colonies renew the Ancient Covenant Chain of friendship, that it may be stronger and brighter than ever, which we recommend to you to preserve clean and free from rust, by a peaceable & affectionate behaviour to all your brethren, and especially to those who live near you, and you may then with confidence rely on the favour of this and all his Maj$^{ty's}$ Govern^{ts}.

As a proof of the King your Father's tender regard for you, I shall deliver you a Present he has sent over for you, consisting of such necessaries as you may want; and the Commiss^{rs} from each of the Govern^{ts} have contributed towards a present for you also, all which presents shall be here ready for you in the afternoon.

Elisha Williams Esq^{r} a Commiss^{r} for Connecticut took his seat.

On a Motion made and seconded that a Message be sent to His Honour the Lieut^{t} Gov^{r} of New York relating to the answer he proposes to make to the Six Nations, M^{r} Hutchinson and M^{r} Franklin were appointed to prepare the same.

Theodore Atkinson and Richard Wibbird Esq^{rs} Com^{rs} for New Hampshire took their seats, as did also Richard Peters Esq^{r} one of the Commiss^{rs} for Pennsylvania.

M^{r} Hutchinson reported the following Message:

May it please your Honour.

The Commiss^{rs} from the several Govern^{ts} now met at Albany observe that in the speech your Honour proposes to make this day to the Indians of the Six Nations, and which you have caused to be communicated to the Board by their Secretary, no notice is taken of the complaints of the said Indians, relating to their lands. This complaint seems by the letter from the Right Honourable the Lords of Trade, which your Honour has laid before the Board to have been the principal occasion of this unusual and expensive meeting of Commiss^{rs} from

so many Colonies, and it appears by the last answer from the Indians, that their uneasiness still remains.

The Commiss^{rs} therefore, think it incumbent on them to pray your Honour that they may be acquainted with the particulars of the complaint, and that they may have an opportunity of consulting with your Honour, proper measures for removing the causes thereof.

Which was read and unanimously agreed to; and it was thereupon ordered that M^{r} Welles and M^{r} Pitkin, wait upon his Honour the Lieut^{t} Gov^{r} of New York with the same.

adjourned to 3 o'clock this afternoon.

At a Meeting on Saturday the 6th July 1754. P. M.

PRESENT — All the Commiss^{rs} from Massachusets Bay
All the Commiss^{rs} from New Hampshire
The Commiss^{rs} from Connecticut
Stephen Hopkins Esq^{r} one of the Com^{rs} from Rhode Island

M^{r} Welles reported to the Board that he and M^{r} Pitkin had delivered the Message they were appointed in the morning to deliver to His Hon^{r} the Lieut^{t} Gov^{r} of New York

The four Gentlemen of the Council of New York Martin Howard [Jun^{r}] Esq^{r} Benjamin Franklin and Abraham Barnes Esq^{rs} took their seats.

M^{r} Murray delivered at the Board his Honour the Lieut^{t} Gov$^{r's}$ answer in writing to the Message delivered to his Honour this morning by M^{r} Welles and M^{r} Pitkin, which was read and is as follows:

Gentlemen. In answer to your Message to me of this day I acquaint you, that yesterday I had the Sachems of the Connajohary Castle before me in Council, to conclude the matter in controversy between some Germans and one Teady Magin, relating to an Indian purchase that had occasioned the greatest uneasiness amongst the Indians of that Castle, which after two meetings, was then formally and finally settled to the satisfaction of all parties.

I then took occasion to observe to them that at their meeting on the 2nd inst: I desired them to open their minds fully, and that I expected they would then have laid all their complaints before me; that as to what they had mentioned in their publick speech on the 4th inst: I was not acquainted with any other particular complaints until I came to this place, being abroad on the circuit at the time they made them at New York, and then I promised as soon as I returned thither I would look into them, and do [them] all the justice that lay in my power, with which they declared themselves well satisfied and thanked me.

Albany 6th July 1754. JAMES DELANCEY

The Board being obliged to attend at the interview of the Skaticok and River Indians adjourned to Monday morning at 9. o'clock.

At a Meeting in the Court house at Albany on Monday the 8th July 1754. A. M.

PRESENT — William Johnson and W^{m} Smith Esq^{rs} two of the Council of New York & all the Commiss^{rs}.

The speech proposed by His Honour to be made to the Indians of the Six Nations having been again read to the Board, and the complaint of the Indians relative to their lands coming

under their consideration, the Board were acquainted that Mr William Livingston and Mr William Alexander,[1] two of the Heirs or Devisees of Phillip Livingston Esqre deceased, the proprietor or patentee of the lands on which Connajohary Castle stands, had declared their readiness to give up all right to said patents or such parts as shall be thought necessary; it was ordered that said Mr Livingston and Mr Alexander be informed that the Board desired to speak with them.

Mr Livingston and Mr Alexander being present informed the Board, that their Father was one among other Patentees of the lands mentioned, that they were interested ⅛ each of them in their Father's Right; the circumstances of this title they had made no enquiry into, but were ready to make any resignation, which, either justice or the publick service required.

The Board being informed that His Honour the Lieutt Govr desired a Gentleman from each Governt, might be appointed to be present with him, in making enquiry of the Indians of the Connajohary Castle, how far they were satisfyed respecting their lands, Mr Peters and Mr Howard were appointed to wait on His Honour and acquaint him that the Board agreed to the proposal. Accordingly:

Mr Hutchinson was appointed for Massachusets Bay
Coll: Atkinson was appointed for New Hampshire
Coll: Wolcott ..... for Connecticut.
Mr Hopkins ..... for Rhode Island.
Mr Norris ..... for Pennsylvania
Coll: Tasker ..... for Maryland.

Joseph Murray & John Chambers Esqrs of the Council of New York, took their seats.

His Honour's draught of the speech he proposes to make to the Six Nations which was delivered to the Board the 6th inst: was read, and after debate had thereon, relative to the sale of Rum amongst them, and the Connajohary's desire about a Church, some alterations and additions to it were agreed to be proposed to his Honour.

The Representation of the present state of the Colonies was again read, through, but no final resolution thereon agreed to.

The answers of the Scaakticook and River Indians to the speech made them the 6th inst: were read, and is as follows:

The Speech of the Scaakticook Indians:

Father, We are glad that the Govr sees his children now before him, we are small in number, but next time we hope we shall be more; Your Honour may see that we are but young and unexperienced, our ancient people being almost all dead, so that we have nobody to give us any advice, but we will do as our Fathers have done before us. Gave a Belt.

Father, This Belt came from our forefathers, and we will be true and faithful to the king as they were. Gave a Belt.

They also gave to the Govr a small bundle of skinns and desired that the sale of Rum might be stopped at Scaacticook, and that if they want it they will come and buy it at Albany.

[1] Afterwards known as Lord Stirling; married Sarah, eldest daughter of Philip Livingston, 2d proprietor of the Manor of Livingston, and Catharine Van Brugh. *Holgate's American Genealogy*, 163. — Ed.

The speech of the River Indians.

Fathers.—We are greatly rejoyced to see you all here. It is by the will of heaven that we are met here, and we thank you for this opportunity of seeing you all together, as it is a long time since we have had such a one.

Fathers, who sit present here, we will just give you a short relation of the long Friendship, which hath subsisted, between the White people of this Country and us—Our Forefathers had a Castle on this River, as one of them walked out he saw something on the River, but was at a loss to know what it was, he took it at first for a great fish, he ran into the Castle and gave notice to the other Indians, two of our Forefathers went to see what it was and found it a Vessel with Men in it, they immediately joyned hands with the people in the Vessel and became friends; the white people told them they should not come any further up the River at that time, and said to them they would return back from whence they came and come again in a year's time; according to their promise they returned back in a year's time and came as far up the River, as where the old Fort stood; Our Forefathers invited them ashore, and said to them, here we will give you a place to make you a Town, it shall be from this place up to such a stream, (meaning where the Patroons Mill now stands) and from the River back up to the Hill, our Forefathers told them they were now a small people, they would in time multiply and fill up the land they had given them. After they were a shore sometime, some other Indians, who had not seen them before, looked fiercely at them, & our Forefathers observing it and seeing the White people so few in number, lest they should be destroyed, took and sheltered them under their arms; but it turned out that these Indians did not desire to destroy them, but wished also to have the said White people for their friends; at this time which we have now spoken of, the white people were small, but we were very numerous and strong, we defended them in that low state, but now the case is altered, you are numerous and strong, we are few and weak, therefore we expect that you will act by us in these circumstances, as we did by you in those we have just now related; we view ye now as a very large Tree, which has taken deep Root in the ground, whose branches are spread very wide, we stand by the body of this Tree, and we look round to see if there be any who endeavour to hurt it, and if it should so happen that any are powerful enough to destroy it, we are ready to fall with it. Gave a Belt.

Fathers, You see how early we made friendship with you, we tied each other in a very strong chain, that chain has never yet been broken, we now clean and Rub that chain, to make it brighter and stronger, and we determine on our part, that it never shall be broken, and we hope you will take care that neither you, nor any one else shall break it, and we are greatly rejoyced that Peace and friendship have so long subsisted between us. Gave a Belt.

Fathers, Dont think strange at what we are about to say; we would say something respecting our lands; when the White people purchased from time to time of us, they said they only wanted to purchase the low lands, they told us the hilly land was good for nothing, and that it was full of wood and stones, but now we see people living all about the Hills and woods, although they have not the purchased lands—when we enquire of the people who live on the[se] lands, what right they have to them, they reply to us that we are not to be regarded, and that these lands belong to the King; but we were the first posessors of them, and when the King has paid us for them, then they may say they are his; hunting now is grown very

scarce, and we are not like to get our livings that way; therefore we hope our Fathers will take care that we are paid for our lands, that we may live. Gave a Belt.

make a present of a bundle of Skins.

[The Board then Adjourned to 3 O'clock this afternoon.]

At a Meeting ettc. on Monday the 8th July 1754. P. M.

PRESENT—All the Commissrs except Coll: Atkinson Mr Norris and the Commissrs for Maryland.

The Board proceeded in their consideration upon the plan for a Union, but did not go thro' with it.

The speech proposed to be made to the Six Nations was returned, to the Board from His Honour with the alterations and additions proposed by the Board in the morning:

Ordered. That the said speech lay upon the Table till some further matters relating to it be agreed on by the Board.

The Committee appointed in the morning to be present with the Lieutt Govr of New York at a conference with the Connajohary Indians, returned from the same and reported as follows:

That His Honour enquired of the Indians whether they had not expressed themselves satisfied with the measures he had taken concerning their lands, and the promise that he would enquire further into the affair when he came to New York, to which they replyed: that they were sensible, His Honour was at Albany when they made this[1] complaint at New York last year—That he had told them he had now left the papers there, but would enquire into it when he came there—That they were willing to try one year more, and if matters were not made up by the Govr whom they looked upon as their elder Brother, but neglected as they used to be, they would send to all their other brothers (pointing to the Commissrs) for their assistance, and that they agreed to this the rather, as there were French Indians in Town, and they did not think it convenient to have any difference before them. Upon which His Honour again assured them, he would enquire into their affairs, in order to their being satisfyed, especially as he had the King's orders for it.

The Board receiving a Message from His Honour that the Sachims of the Six Nations were attending to be spoke to:

The Board adjourned to 9 o'clock to morrow mornG and waited upon the Governour.

At a Meeting in the Court house at Albany [on Tuesday the] 9th July 1754. A. M.

PRESENT—Joseph Murray & William Smith Esqrs of the Council of New York.
All the Commissrs except Coll: Partridge and Mr Hopkins.

The public conference between His Honour the Lieutt Govr of New York and the Commissrs from the several Governts, with the Sachems of the Six Nations yesterday evening was read, and ordered to be entered as follows:

[1] their. *Johnson Manuscripts*, I. — ED.

Brethren. You told me your hearts were deeply concerned at the sad effects which may arise from selling Rum in your respective Countries, I will give orders that the Laws already made for preventing the Sale of this liquor among you shall be strictly put in execution, and whatever further provision in the law is necessary, I will endeavour it shall be made, that you may see I take care of your health and your peace, which are hurt and disturbed by the use of this Liquor among you, of the Five upper Nations: and as to what you of the Mohawks have said, I shall consider how far it may be necessary to restrain the people living round you from selling Rum, and if I can think of a proper remedy for this evil, I will endeavour to apply it.

Brethren of the Upper Castle of the Mohawks.

I am well pleased with your earnest request to have a Church built amongst you, and shall do every thing in my power to promote so good a work, and it is very agreable to me, and the Commiss^{rs} from all the Govern^{ts} present to find a disposition in you to receive the Christian Religion.

Brethren. As I have given you satisfaction with respect to one of your complaints, about your lands, which lay heavy on your minds, and have assured you that I shall endeavour to do you justice as to the rest when I come to New York, I shall not say any thing further to you on that affair now.

The Gov^{r} being informed by the Interpreter, that they chose to have the powder divided on the Hill, told them, it was in his opinion, better for them to have it sent to Schenectady.

Hendrick answered for them; just as His Honour pleased, who told them he would order the powder to Schenectady and the Rum above the settlements, with which they expressed themselves satysfied.

His Honour then said:

I have now done speaking to you, but before I cover up the fire, I must recommend it to you to behave quietly and peaceably to all your brethren and their Cattle in your return home.

Hendrick then replyed

Your Honour told us, you now covered up the fire and we are highly pleased, that all things have been so amicably settled, and hope that all that has passed between us may be strictly observed on both sides

Brethren of the several Govern^{ts}

We hope that you will not fail in the Covenant Chain, wherewith we have mutually bound ourselves, and now [so] solemnly renewed and strengthened.

If we do not hold fast by this Chain of friendship, our Enemies will laugh us to scorn.

Brethren. We wish you would all contribute to provide some provisions for us, in our way home, which will effectually prevent our people from killing the Inhabitants' Cattle, and we desire you will provide some Waggons for us to go to Schenectady; we think this expence will fall too heavy upon one province, as we have the presents from all to carry up.

We beg we may all take care of the Fire[1] of friendship and preserve it by our mutual attention from any injuries; we will take care of it on our sides, and we hope our Brethren will do so on theirs. We wish this fire of Friendship[1] may grow up to a great height, and then we shall be a powerful people.

[1] *Sic. Tree* of friendship. *Johnson Manuscripts*, I. — Ed.

Brethren. We the united Nations shall rejoyce in the increase of our strength, so that all other Nations may stand in awe of us.

Brethren. I will just tell you what a people we were formerly; if any of our Enemies rose against us, we had no occasion to lift up our whole hand against them, for our little finger was sufficient, and as we have now made so strong a confederacy, if we are truly earnest therein, we may retrieve the Ancient glory of the Five Nations.

Brethren. We have now done; but one word we must add. The Interpretor, if the French continue their Hostilities, will want assistance, three or four to be joyned with him; but this matter we submit to the Gov^{r}. We have now [fully] finished all that we have to say.

The Gov^{r} replyed:

Brethren. It gives me and all the Commissioners here present great satisfaction, that this interview has been so amicably concluded on all sides. I have ordered 30 waggons, to be provided for your service which I expect here to morrow morning, and I have ordered provisions to serve you on your journey.

I hope that by this present Union, we shall grow up to a great height and be as powerful and famous as you were of old.

As to the Interpreter, when the circumstances of this Country require it, he shall have the necessary assistance, and I assure you in the name of this and all the Govern^{ts} here present, that we shall endeavour to extend and preserve the Covenant Chain by every possible Method in our power.

They asked his Honour when himself and the Commiss^{rs} proposed to return home.

His Honour answered, that they had some matters yet to settle about the Union, and they should then set out for their respective habitations.

The Gov^{r} then in his own name and that of the Commiss^{rs} wished them a good journey and they returned the compliment, and then the conference broke up.

The answers of the answers,[1] of the Lieut^{t} Gov^{r} and the Commiss^{rs} to the Schaacticook and River Indians, was next read and ordered to be entered as follows:

The answer to the Schaacticook Indians.

Children. We condole with you on the loss of your old and experienced people.

A. string.

Children. I and the Commiss^{rs} from the other Govern^{ts} here present are glad to see that although you are young and unexperienced, yet you are willing to take advice, and are determined to remain faithful to the King and friendly to all his subjects. A Belt.

Answer to the River Indians.

Children. We are glad to find that you treasure up in your Memories the mutual instances of friendship between our ancestors and yours; the remembrance of that friendship will descend to our posterity, and we desire you to hand it down to yours; and altho' there is a great alteration in circumstances since our predecessors first came among you, yet we have not less affection for you than they had A Belt.

[1] *Sic.* The Answers of the Lieut. Gov., &c. *Johnson Manuscripts*, I. — Ed.

Children.

Your brightening and strengthening the covenant Chain, is well pleasing to me and the Commiss^{rs}; we acknowledge you have never broke it; we have likewise preserved it entire, and are determined to continue to do so. A Belt.

Children.—You complain that some of the people of this province, are in possesion of your lands which you never sold. This is a complaint which affects persons who live at a distance. I have ordered notice to be given them of it, and if upon enquiry into the affair, it shall appear that you have been injured, I will endeavour to get you redressed; but I shall observe to you, that the constant method of granting lands in this Province, is and has been by licence from the Gov^{r}, to purchase from the Indians, and upon the purchase being returned, before him in Council, he with their advice orders a Patent, and that most of these lands concerning which you complain, were patented when you were Children, some before any of you were born.

Ordered that the following minute be made.

That the last paragraph of the foregoing answer to the River Indians, about the manner of Patenting Lands in this Province beginning with the words "I shall observe"—was an addition made by His Honour to the draught sent him yesterday by this Board.

Coll: Johnson, M^{r} Chambers, Coll: Partridge and M^{r} Hopkins took their seats.

The plan of the Union was debated and agreed upon, and M^{r} Franklin was desired to make a draught of it as now concluded upon.

adjourned to 5 o'clock this evening.

At a meeting ettc on Tuesday the 9th July 1754. P. M.

PRESENT—His Honour the Lieut^{t} Gov^{r} and the four Gentlemen of the Council of New York, and all the Commiss^{rs} except M^{r} Franklin absent by his appointment in the morning.

The draught of the Representation ettc was read and considered paragraph by paragraph, some amendments made, and the whole was agreed to and ordered to be minuted as follows:

That His Maj^{tys} title to the Northern continent of America, appears to be founded on the discovery thereof first made and the posession thereof first taken in 1497. under a Commission from Henry the 7th of England to Sebastion Cabot.

That the French have possessed themselves of several parts of this continent which by Treaties have been ceded and confirmed to them.

That the right of the English to the whole Sea coast from Georgia on the South to the River S^{t} Lawrence on the North except the Island of Cape Breton and the Islands in the Bay of S^{t} Lawrence, remains plain and indisputable.

That all the lands and Countries Westward from the Atlantic Ocean, to the South sea between 48 and 34 degrees North latitude were expressly included in the grant of King James the 1st to divers of his subjects so long since as the year 1606 and afterwards confirmed in 1620. and under this grant, the Colony of Virginia claims extent as far West as the south sea, and the ancient Colonies of the Massachusets Bay and Connecticut were by their respective Charters, made to extend to the South sea; so that not only the Right to the sea coast, but to

all the Inland Countries, from sea to sea has at all times been asserted by the Crown of England.

That the province of Nova Scotia or Accadie hath known and determinate bounds by the original Grant from King James the 1st and that there is abundant evidence of the sense which the French had of these bounds while they were in possession of it, and [that] these bounds being then[1] known, the said province by the Treaty of Utrecht according to its ancient limits, was added[2] to Great Brittain, and remained in possession thereof until the Treaty of Aix-la-Chapelle, by which it was confirmed; but by said Treaty it is stipulated, that the bounds of the said Province shall be determined by Commissaries ettc.

That by the Treaty of Utrecht the Country of the Five Cantons of the Iroquois, is expressly acknowledged to be under the Dominion of the Crown of Great Brittain.

That the Lake Champlain formerly called Lake Iroquois and the Country Southward of it, as far as the Dutch or English settlements the lakes Ontario, Erie and all the Countries adjacent, have by all ancient authors, French and English been allowed to belong to the Five Cantons or Nations and the whole of these Countries long before the said Treaty of Utrecht, were by said Nations, put under the protection of the Crown of great Brittain.

That by the Treaty of Utrecht there is reserved to the French a liberty of frequenting the Countries of the Five Nations and other Indians in friendship with great Brittain for the sake of Commerce, as there is also to the English a liberty of frequenting the Countries of those in friendship with France for the same purpose.

That after the Treaty of Utrecht the French built several Fortresses, in the Country of the Five Nations, and a very strong one at a place called Crown Point, to the South of lake Champlain.

That the French Court hath evidently since the Treaty of Aix-la-Chapelle, made this Northern Continent more than ever the object of its attention.

That the French have most unjustly taken Possession of part of the Province of Nova Scotia and in the River S[t] John's and other parts of said province, they have built strong Fortresses, and from this River they will have during the Winter and spring season, a much easier communication between France and Canada, than they have heretofore had, and will be furnished with a harbour more commodiously situated, for the anoying the British Colonies by privatiers and Men of War than Louisburgh itself.

That they have taken possession of, & begun a settlement at the head of the River Kinnebeck, within the bounds of the Province of Main, the most convenient situation, for affording support and safe retreat to the Eastern Indians in any of their attempts upon the Govern[t] of New England.

That it appears by information of the Natives the French have been making preparations for another settlement at a place called Cohass on Connecticut River, near the head thereof, where it is but about ten miles distant from a branch of Merrimack River, and from whence there is a very near and easy communication with the Abnekais Indians who are settled on the River S[t] François, about forty miles from the River S[t] Lawrence, and it is certain that the Inhabitants of New Hampshire in which province this Cohass is supposed to lye, have been interrupted and impeded by the French Indians, from making any settlements there.

That since the Treaty of Aix-la-Chapelle, the French have increased the number of their Forts in the Country of the great Lakes and on the Rivers which run into the Missisippi and

[1] thus known. *Johnson Manuscripts*, I. [2] ceded. *Ibid.* — Ed.

are securing a communication between the two Colonies of Louisania and Canada, and at the same time, putting themselves into a capacity of annoying the Southern British Colonys, and preventing any further settlement of His Majᵗⁱᵉˢ dominions

That they have been gradually increasing their Troop[s] in America, transporting them in their Ship[s] of War, which return to France with a bare compliment of Men, leaving the rest in their Colonies, and by this means they are less observed by the powers of Europe than they would be if Transports as usual heretofore were provided for this purpose.

That they have taken prisoners, divers of His Majᵗʸ's subjects trading in the Country of the Iroquois, and other Inland parts, and plundered such prisoners of several thousand pounds sterling, and they are continually exciting the Indians, to destroy or make prisoners, the Inhabitants of the Frontiers of the British Colonies, which prisoners are carried to Canada and a price equal to what slaves are [usually] sold for in the Plantations is demanded for their redemption and release.

That they are continually drawing off the Indians from the British interest, and have lately perswaded one half of the Onondaga Tribe with many from the other Nations along with them, to remove to a place called Osweegchie, on the river Cadaraghqui, where they have built them a Church and Fort and many of the Senecas, the most numerous Nation, appear to be wavering and rather inclined to the French, and it is a melancholy consideration, that not more than 150 Men of all the several Nations, have attended this Treaty, although they had notice, that all the Governᵗˢ would be here by their Commissioners, and that a large present would be given.

That it is the evident design of the French to surround the British Colonies, to fortifie themselves on the back thereof, to take and keep possession of the heads of all the important Rivers, to draw over the Indians to their Interest, and with the help of such Indians added to such Forces as are already arrived and may hereafter be sent from Europe, to be in a capacity of making a general attack on the several Governᵗˢ, and if at the same time a strong Naval Force be sent from France, there is the utmost danger that the whole continent will be subjected to that Crown and that the danger of such a Naval Force is not merely imaginary, may be argued from past experience, for if it had not been for the most extraordinary interposition of Heaven, every sea-port Town on the Continent in the year 1746. might have been Ravaged and destroyed by the Squadron under the Command of the Duke d'Anville, notwithstanding the then declining State of the French, and the very flourishing state of the British Navy, and the further advantage accruing to the English from the possession of Cape Breton. That the French find by experience they are able to make greater and more sure advantages upon their neighbours in peace than in war; what they unjustly possessed themselves of after the peace of Utrecht, they now pretend to have a right to hold by virtue of the Treaty of Aix-la-Chapelle, until the true boundary between the English and the French be settled by Commissarys, but their conquest made during the war, they have been obliged to restore.

That the French affairs relative to this continent are under one direction, and constantly regarded by the Crown and Ministry, who are not inse[n]sible how great a stride they would make, towards an Universal Monarchy if the British Colonies were added to their Dominions, and consequently, the whole Trade of North America engrossed by them.

That the said Colonies being in a divided disunited state, there has never been any joint exertion of their Force or Counsells to repel or defeat the measures of the French, and particular Colonies are unable and unwilling to maintain the cause of the whole.

That there has been a very great neglect of the affairs of the Iroquois, or, as they a[re] commonly called the Indians of the Six Nations and their friendship and alliance has been improved to private purposes, for the sake of the Trade with them, and the purchase or acquisition of their lands more than to the public service.

That they are supplyed with Rum by the traders in vast and almost incredible quantities, the laws of the Colonies now in force being insufficient to restrain the supply, and the Indians of every Nation are frequently drunk and abused in their Trade, and their affections thereby alienated from the English; they often wound and murder one another in their Liquor, and to avoid revenge flee to the French, and perhaps more have been lost by these means than by the French artifices.

That purchases of lands from the Indians by private persons for small trifling considerations, have been the cause of great uneasiness and discontents, and if the Indians are not in fact imposed on and injured, yet they are apt to think that they have been and indeed they appear not fit to be intrusted at large with the sale of their own lands, and the Laws of some of the Colonies which make such sales void, unless the allowance of the Govern[t] be first obtained, seem to be well founded.

That the granting or patenting vast Tracts of Land to private persons, or companys without conditions of speedy settlement, has tended to prevent the strengthning the Frontiers of the particular Colony where such Tracts lye, and been prejudicial to the rest.

That it seems absolutely necessary that speedy and effectual measures be taken to secure the Colonies from the slavery they are threatened with.

That any further advances of the French should be prevented and the encroachments already made removed.— That the Indians in alliance or Friendship with the English be constantly regarded, under some wise directions or superintendancy. That endeavours be used for the recovery of those Indians who are lately gone over to the French and for securing those that remain.— That some discreet person or persons be appointed to reside constantly with each Nation of Indians, such persons to have no concern in Trade, and duly to communicate all advices to the superintendents. That the Trade with the said Indians be well regarded, and made subservient to the public interest, more than to private gain. That there be Forts built for the security of each Nation and the better carrying on the Trade with them. That warlike vessells be provided sufficient to maintain His Maj[ty's] right to a free Navigation on the several Lakes. That all future purchase of lands from the Indians be void unless made by the Govern[t] where such lands lye, and from the Indians in a body in their public councils. That the patentees or possessors of large unsettled Territories be injoyned to cause them to be settled in a reasonable time on pain of forfeiture. That the complaints of the Indians, relative to any grants or possessions of their lands fraudulently obtained be enquired into and all injuries redressed. That the bounds of these Colonies which extend to the South sea, be contracted and limited by the Alleghenny or Apalachian mountains, and that measures be taken for settling from time to time Colonies of His Maj[tys] protestant subjects, westward of said Mountains in convenient Cantons to be assigned for that purpose; and finally: That there be a Union of His Maj[tys] several Governt[s] on the Continent, that so their Councils, Treasure and strength may be employed in due proportion ag[st] their common Enemy. All which is submitted:

Adjourned till 9 o'clock tomorrow morning.

At a Meeting in the Court House at Albany on Wednesday the 10th July 1754. A. M.

PRESENT—Joseph Murray and Wm Smith Esqrs of the Council of New York.
All the Commissrs except Henry Sherburn Esqr one of the Commissrs for New Hampshire.

Mr Franklin reported the draught in a new form of a plan of a Union, agreable to the determination of yesterday which was read paragraph by paragraph, [and debated] and the further consideration of it deferred to the afternoon.

adjourned to 3 o'clock this afternoon.

At a Meeting &c. on Wednesday the 10th July 1754. P. M.

PRESENT—His Honour the Lieutt Govr and the four Gentlemen of the Council of New York and all the Commissrs for the respective Governments.

The consideration of a plan of a Union was resumed which plan is as follows:

PLAN of a proposed UNION of the several Colonies of Massachusets Bay, New Hampshire, Connecticut, Rhode Island, New York, New Jerseys, Pennsylvania Maryland, Virginia, North Carolina, and South Carolina, for their mutual defence and security, and for extending the British Settlements in North America.

That humble application be made for an Act of the Parliament of Great Brittain, by virtue of which, one General Governt may be formed in America, including all the said Colonies, within, and under which Governt each Colony may retain each present constitution, except in the particulars wherein a charge may be directed by the said Act, as hereafter follows.

That the said General Governt be administered by a president General, to be appointed & supported by the Crown, and a grand Council to be chosen by the representatives of the people of the several Colonies, meet in their respective assemblies.

That within Months after the passing of such Act, The house of representatives in the several Assemblies, that Happen to be sitting within that time or that shall be specially for that purpose convened, may and shall chose, Members for the Grand Council in the following proportions, that is to say:

Massachusets Bay	7.
New Hampshire	2.
Connecticut	5.
Rhode Island	2.
New York	4.
New Jerseys	3.
Pennsylvania	6.
Maryland	4.
Virginia	7.
North Carolina	4.
South Carolina	4.
	48.

Who shall meet for the present time at the City of Philadelphia in Pennsylvania, being called by the President General as soon as conveniently may be after his appointment.

That there shall be a New Election of Members for the Grand Council every three years, and on the death or resignation of any Member, his place shall be supplyed by a new choice at the next sitting of the Assembly of the Colony he represented.

That after the first three years, when the proportion of money arising out of each Colony to the General Treasury can be known, the number of Members to be chosen, for each Colony shall from time to time in all ensuing Elections be regulated by that proportion (yet so as that the Number to be chosen by any one province be not more than seven nor less than two).

That the Grand Council shall meet once in every year, and oftener if occasion require, at such time and place as they shall adjourn to at the last preceeding meeting, or as they shall be called to meet at by the President General, on any emergency, he having first obtained in writing the consent of seven of the Members to such call, and sent due and timely notice to the whole.

That the Grand Council have power to chuse their speaker, and shall neither be dissolved prorogued, nor continue sitting longer than six weeks at one time without their own consent, or the special command of the Crown.

That the Members of the Grand Council shall be allowed for their services ten shillings sterling per diem, during their Sessions or Journey to and from the place of Meeting; twenty miles to be reckoned a days Journey.

That the Assent of the President General be requisite to all Acts of the Grand Council, and that it be his Office and duty to cause them to be carried into execution.

That the President General with the advice of the Grand Council, hold or direct all Indian Treaties in which the general interest or welfare of the Colonys may be concerned; and make peace or declare War with the Indian Nations. That they make such Laws as they judge necessary for the regulating all Indian Trade. That they make all purchases from Indians for the Crown, of lands [now] not within the bounds of particular Colonies, or that shall not be within their bounds when some of them are reduced to more convenient dimensions. That they make new settlements on such purchases by granting Lands, [in the King's name] reserving a Quit rent to the Crown, for the use of the General Treasury.

That they make Laws for regulating & governing such new settlements, till the Crown shall think fit to form them into particular Govern^{ts}.

That they raise and pay Soldiers, and build Forts for the defence of any of the Colonies, and equip vessels of Force to guard the Coasts and protect the Trade on the Ocean, Lakes, or great Rivers; but they shall not impress men in any Colonies without the consent of its Legislature. That for these purposes they have power to make Laws and lay and Levy such general duties, imposts or taxes, as to them shall appear most equal and just, considering the ability and other circumstances of the Inhabitants in the several Colonies, and such as may be collected with the least inconvenience to the people, rather discouraging luxury, than loading Industry with unnecessary burthens.—That they might appoint a General Treasurer and a particular Treasurer in each Govern^{t} when necessary, and from time to time may order the sums in the Treasuries of each Govern^{t}, into the General Treasury, or draw on them for special payments as they find most convenient; yet no money to issue but by joint orders of the President General and Grand Council, except where sums have been appropriated to particular purposes, and the President General is previously impowered by an Act to draw for such sums.

That the General accounts shall be yearly settled and reported to the several Assemblies.

That a Quorum of the Grand Council impowered to act with the President General, do consists of twenty five Members, among whom there shall be one or more from a majority of the Colonies. That the Laws made by them for the purposes aforesaid, shall not be repugnant, but as near as may be agreable to the Laws of England, and shall be transmitted to the King in Council for approbation, as soon as may be after their passing, and if not disapproved within three years after presentation to remain in Force.

That in case of the death of the President General, the Speaker of the Grand Council for the time being shall succeed, and be vested with the same powers and authority, to continue until the King's pleasure be known.

That all Military Commission Officers, whether for land or sea service, to act under this General constitution, shall be nominated by the President General, but the aprobation of the Grand Council is to be obtained before they receive their Commissions; and all Civil Officers are to be nominated by the grand Council, and to receive the President General's approbation before they officiate; but in case of vacancy by death or removal of any Officer Civil or Military under this constitution, The Gov^{r} of the Province in which such vacancy happens, may appoint till the pleasure of the President General and grand Council can be known.— That the particular Military as well as Civil establishments in each Colony remain in their present State this General constitution notwithstanding. And that on sudden emergencies any Colony may defend itself, and lay the accounts of expence thence arisen, before the President General and Grand Council, who may allow and order payment of the same as far as they judge such accounts just and reasonable.

After debate on the foregoing plan:

Resolved. That the Commiss^{rs} from the several Govern^{ts} be desired to lay the same before their respective constituents for their consideration, and that the Secretary to this Board transmit a copy thereof with their vote thereon to the Governor of each of the Colonies which have not sent their Commiss^{rs} to this Congress.

His Honour proposed to the Board that agreable to their resolution of the 24. June, they would now consider the expediency of building Forts in the Indian Country. It was determined, that considering the present wavering disposition of the Senecas it was expedient that a Fort should be built in their Country at a place called Irondequat or Tierondequat.

Ordered. That a Committee be appointed to consider what further Forts may be necessary in the Country of the Six Nations, and that each Colony name a Member for this Committee.

Ordered. That M^{r} Chambers and M^{r} Peters be a Committee to revise the Minutes settled and agreed to by this Board.

adjourned till tomorrow morning at 9 o'clock.

At a Meeting at the Court house at Albany on Thursday the 11th July 1754. A. M.

PRESENT — His Honour the Lieut[t] Gov[r] and the four Gentlemen of the Council of New York. —

All the Commiss[rs] from the several Govern[ts] except William Pitkin Esq[r] one of the Commiss[rs] for Connecticut.

M[r] Welles from the Committee appointed to consider what other Forts may be necessary. reported: That they had carefully considered the present state of the Frontiers of these Colonies, and are of opinion that several other Forts at particular passes, are equally necessary, with that proposed at Tierondequat, that as there is no probability of their being effected in the present disunited state of the Colonies, and the General union may make some of them unnecessary. —We apprehend some inconveniencies may arise if the Board should go farther into the consideration of that matter at this time.

His Honour put the Question, whether the Board would accept of this Report.

And it passed in the affirmative.

Certain proposals from William Johnson Esq[r] relative to the Six Nations, and for the defeating the designs of the French; also certain considerations offered by Thomas Pownall Esq[r] "towards a general plan of the Measures of the English Provinces" were read at the Board.

It was thereupon voted that M[r] Franklin be desired to give the thanks of this Board to the said M[r] Johnson and M[r] Pownall, and desire them to suffer copies of the papers to be taken by the Commiss[rs] of each Colony for the consideration of their respective Govern[ts].

Ordered. That all His Maj[ties] Govern[ts] on this Continent may have liberty from time to time to take copies of the proceedings of this Congress or any parts thereof, paying for the same, and that no other copies be delivered by the Secretary.

Ordered. That upon the Secretary's leaving this Province the Records of these proceedings of the Commiss[rs] of the several Govern[ts] be lodged in the Secretary's Office of the province of New York.

M[r] Chambers and M[r] Peters Reported that they had examined these Minutes of the proceedings of this Congress and find them right.

An then His Honour the Lieut[t] Gov[r] of New York and the Commiss[rs] of the several Govern[ts] rose without any further adjournment.

New York 25th July 1754.

A True copy from the proceedings of the Congress held in the City of Albany in the Province of New York in the months of June and July ofthis present year.

Examined by me

PETER WRAXALL Secr[y]

NOTE. — The letters and words within brackets, in the preceding Document, are inserted from the copy in the *Johnson Manuscripts*, I., in the State Library. — ED.

Mr. Pownall's Considerations towards a General Plan of Measures for the Colonies.

[New-York Papers, Bundle Kk., No. 22.]

Considerations towards a general Plan, read at the Congress held at Albany 11. July 1754.

The Plan of the French measures in building a line of Forts round the English settlements is:

1st To cut the English off from all communication of alliance or Trade with the Indians.

The reason of building Fort Cadaraghqui:

"They found it necessary to build this Fort for a Bulwark against the incursions of the "Iroquois and to interrupt the Trade of skins that these Savages maintain with the Inhabitants "of New York and the Hollanders who have formed a new Colony there, for they furnish the "Savages with commodities at cheaper rates than the French of Canada"—Father Henepin Chapr 4.

The Scheme or design of building the Fort at Niagara

"Such a Fort as this might easily interrupt the commerce betwixt these people and the "English and Dutch in New York. Their custom is to carry to New York the skinns of Elks, "Beavers and several sorts of Beasts which they hunt and seek after for two or three hundred "leagues from their own home. Now, they being obliged to pass and repass near to this "mouth of the River Niagara, we might easily stop them by fair means in time of peace, or "by open force in time of war, and thus oblige them to turn their commerce upon Canada" Idm Chap: 7.

The design of building the Fort Cananistigoyan[1] on the Lake superior:

"Tis some years since Mr Dulhut built a Fort upon this Lake, where he had large Magazines "of all sorts of Goods. That Fort was called Cananistigoyan, and did considerable diservice to "the English settlements in Hudson's Bay" La Honton's memoirs of North America *p.* 214.

2ly To make it a line of Circumvallation to confine the English settlements within such bounds as the French are please to, thus set to the English provinces. Many proofs might be alleged on this head but the following is more than sufficient:

The Summons of surrender sent by the French Officer to the English Officer at the Forks of Monongahela.

3dly To join Louisania and Canada to become Masters of the Lakes and make the whole continent one French Kingdom.

"I plainly perceiv'd by what relations I had of several particulars in different Nations, that "it were not a matter of great difficulty to make considerable Establishments to the South "East of the Great Lakes, and that by the conveniency of a great River called Ohio, which "passes thro' the Country of the Iroquois a passage might be made into the great sea at "Cape Florida." Father Henepin Chap: 4.

"There is not in all Louisiana a spot better adapted for an Establishment than that (viz: the "River Ohio) nor where it is of more importance to have one * * * * * * besides, "the communication thence with Canada is as easy as by the River of the Illinois and the road "is much shorter.[2] Charlevoix's Journal Historie Novr 8. 1721. v. 6. *p* 157.

[1] Camanistigoyan.

[2] This paragraph is translated from the French. — Ed.

"The Lake Ontario or Frontenac is easily navigable and that with great vessels." Father Henepin Chap: 6.

"It were easy to build on the sides of these Lakes an infinite number of considerable "Towns which might have communication one with another by navigation for five hundred "Leagues together and by an inconceaveable commerce which would establish itself amongst "them" id^{n} Chap: 11th.

In 1678. The French had a Brigantine of Ten Tons on the Lake Ontario: Chap: 14.

In 1679. a Ship of 60 Tons on Lake Erie. Chap: 19.

The whole back Country which they divide into Canada and Louisania they call New France.

The English measures therefore should be.

1st to open themselves a passage to and a communication with the Indians.

2^{ly} to disjoin and keep separate Louisania and Canada.

3^{dly} To throw off this yoke of Forts which the French are laying on their necks.

The only way for the English to do this is to become Masters of the Indian Countries so as to secure themselves and to protect the Indians. Then and then only would the English have a real and actual interest and alliance with the Indians.

There appear two ways of effecting this:

Either to dispute with force of Arms every pass and hold in the Country with the French and to secure such with Forts and Garrisons.

Or, to become Masters of the Lakes and to acquire the Dominion of that Navigation.

The first considered:

The French Govern^{t} in Canada is a Military United power. Is calculated for Military adventures; is founded and actually setled in such adventures. Does not consist of Farms and settlements of Farmers, but of Forts & settlements of soldiers. Is actually possessed of such passes and Holds and has secured them by Forts. The undertaking such Military adventures and building and Garrisoning such Forts is but actually carrying on the ordinary method and regular plan of settling their Colonies. For which both, the people and Govern^{t} of Canada is formed. Whereas the English Provinces consist of Farms and Farmers and settlements of labouring not fighting Men, who must live and maintain their Families, by the culture of their respective settlements, cannot therefore be draughted out and employed in Military adventures without ruining them their families and their settlements. They cannot settle and fight too. They could fight as well as the French, but then must give over settling. They make the best settlements in the world, but then, this fixes the necessity of their labouring on a particular spot. Whereas Military adventures requires them to be unsettled, ready to March and be employed at any place, at any time. As thus the English Provinces are not in their Constituents, so neither they are in their Govern^{t} formed for Military service. *They have no Military Establishment;* no part of them selected trained and kept a constant standing Force (as the French have) for this service alone. The French therefore will always be as they have hitherto been masters in the Field. They will beat us at the dispute of every pass, were they even to sett out with us at this moment. What they have, they can keep; what we had they have taken part from us and can take the rest when they will. But as they are now situated have Forts and Garrisons in almost every pass of the Country. They can at a moments warning draw together an army well served with artillery in any part of the Back Continent. While the English if they could raise one in a year or two's time, could not march it (as they are now circumstanced) to any place where it was wanted while the necessity of the service continued.

The measure therefore most reasonable and most likely to succeed is to sett the first step, where we have already a footing. We have in the heart of the Indian Country a Fort, a Garrison, a Port. Under the defence of this the English may build a Fleet that shall:

1° Open itself a passage and communication to the Indians. 2° They may establish a Trade of the most easy management and the greatest profit. 3° That would divide and cut off Louisania from Canada.

1st This is a pass the French are not possessed of. a Pass that all the Forts they have built are of no use to the defence of. A Pass that the English in their own way, in which they have always been superior to the French, could dispute with the French and beat them out of. A Pass where our proper Force would be united and where no artifice of the French could divide and dissipate it ettc. ettc. ettc.

2nd The navigation of the Lakes would establish a Mart, where the Indians of every Nation would resort.

"In summer time several Northern Nations come to hunt and fish in these Parts (he here speaks of the Lake superior) and bring with them the Beaver skins they have gott in the Winter in order to truck with the Coureures de Bois who do not fail to meet them every year." Lahontan's Memoires of N. Am: *p.* 214.

If the Trade of the Hudson's Bay Company which is as it were, only on the skirts of this great continent is found so beneficial, what might not this be, that is in the very heart of it.

The Back settlements will in time want a vent for their produce; this Trade would open to them such a vent.

1° & 2° Being Masters of this pass and this Trade would give the English the Command of the Indian Country and consequently of the Indians; which is the only way to preserve their Fidelity and alliance. 'Tis the only way to enable them to continue our Friends.

The example of the Navigation and Trade of the Caspian Lake may not only be a Rule of experience, but is also a most encouraging example.

Many other reasons for and consequences of this measure might be offered, but this paper does not mean to give reasons but to propose considerations.

3d If the English were Masters of the Lakes and had consequently the friendship of the Indians, the French could have little or no communication between Louisania and Canada, and no communication, no effectual one, with most of the Forts they have built up and down the Country. ettc ettc.

Upon the whole, this Measure is adapted to the Nature of the strength of the Provinces who are maratime, and numbers of whose people are Mariners; *take into this demonstration Boatmen and perhaps one third or a quarted at least may be such.*

The navigation of the sea and River on one side and of the Lakes on the other, would form these Provinces into a Kingdom equal if not superior to the Kingdom of New France.

All that can be done *at present* is under the defence of Fort Oswego, to secure the dominion of the Lake Ontario; and in the mean while to secure by Forts the passes upon the Frontiers of our own settlements (distinguish here the Frontiers of the Settlements from the Frontiers of the Provinces) and those of our allies; to protect ourselves, and then, this being done we should attempt and acquire, for it is in our power, the dominion of all the Lakes. (perhaps the Lake superior excepted). New Hampshire Massachusets and Rhode Island might be alloted to the Lake Champlain — Connecticut, New York and New Jersey to Lake Ontario — Pennsylvania, Maryland Virginia and perhaps the Carolinas too to lakes Erie, Illinois ettc.

"If the English would pursue their measures to the best advantage, they ought to engage "The Isonontouanes (the Senekas) or the Goyogouans (Cayugas) to go and settle upon the "Banks of the Lake Erie, near the Mouth of the River Conde, and at the same time they "ought to build a Fort there with some long Barques and Brigantines; for this is the most "convenient and advantageous post of all the Country and that for an infinity of reasons which "I am obliged to conceal. Besides this Fort, they should Build another at the Mouth of the "Riviere de Francois, and then it would be absolutely impossible for the Coureurs de Bois to "reach the Lakes." Lahontan *p* 273.

(signed). J. Pownall.

Appendix

This measure respecting the management of Indian affairs is offered as consequencial of the plan of a general Union of the provinces, or may be applyed as an expedient in the mean time till such union can take place.

The original natural form under which the Indian Country lay, being that of a Forest stocked not with sheep or Oxen or Horses, not with Beasts of labour and Domestic Animals but only with wild Beasts and game; all that this Country afforded for food or rayment must be Hunted for. The Indians Therefore would consequently be as they were, in fact not Landworkers but Hunters, not Settlers but wanderers; they would therefore consequently never have, as in fact they never had any idea of property in Land. They would consequently never have, as in fact, they never had any common fixed interest, any one communion of Rights and actions, one Civil union, and consequently not any Govern^{t}. They know no such thing as an administrative or executive power properly so called. They allow the authority of advice a kind of legislative authority, but there is no Civil coertion. They never had any one collective actuating power of the whole or any Magistrate or Magistrates to execute such.

But the Country appearing now under a very different form, and they, the Indians, being under very different circumstances arising from Trade, Treaties and War, begin to feel rather than see, to find by experience rather than reason the necessity of a Civil union of Power and action, and that these circumstances have in fact for many years been forming and have at length formed to them such a Collective power. These people are precisely in that point of circumstances where a community that was before only one of Society is becoming that of Govern^{t}.

In all their Actions therefore of late years whether of Treaty or War they have recurred to some agent to actuate this Power; they are not only become capable of such a general leading, but their circumstances require it. The circumstances with which they are connected have formed them into a state, but from the circumstances of the Society under which they live they can never have amongst themselves a Stateholder. Their circumstances require and look out for some such, some such they must have, and if we do not find such for them, the French will, and are actually attempting it. Further as they know not, nor acknowledge any leading power but that of authority, there can be no nominal visible appointment of such Leader; they will never appoint such within themselves, nor will they ever submitt to any one appointed from without. This was the mistake of the Gov^{r} of Canada which had like to have lost him all the Cachnuagas two years ago.

Therefore such person or persons as can acquire or actually are in possession of this leading power, this authority with them, can be this Agent, this Leader, this Stateholder ettc.

Facts, and the actual State of the circumstances of the Indian Affairs and of the French measures show the necessity of such an Office, and it were needless to point out the use and beneficial consequences of such.

(signed) J. Pownall.

Colonel Johnson's Suggestions for defeating the designs of the French.

[New-York Papers, Bundle Kk., No. 23.]

Measures necessary to be taken with the Six Nations, and other Matters requisite to be preferred, towards defeating the designs of the French on the British Contin^{t}. July 1754.

As the Six Nations and their Allies, are doubtless much altered from what they were some years ago, especially since the French have from time to time, without being interrupted, been treating with them, and as all States are liable to vicissitudes from some cause or other, which it may be loss of time now to look into, tho' I am sorry to say a partial defection of those States is too manifest; therefore it may be best to direct our management according to the present exigency.

Imprimis, it is not reasonable to suppose that one or two British Govern^{ts} should, or ever can continue to retain in the British Interest, such a number of people as the Six Nations amount to, while we are sure to be so far out bid by so powerfull an opposite as the French, in the purchase of the friendship of a people, who from their situation are of the highest consequence to the preservation of all our & their Colonies, according as they are affected. The French being under the necessity of taking their Route through their Country in their march to the Southward, in order to perfect that fatal line of communication between their most distant settlements, by means of which to lessen our Borders and to make continual discents upon our defenceless Frontiers, and crowding us into the sea; it is our business as industriously to obstruct their designs at all events. The Eyes of all the Western Tribes of Indians are upon the behaviour of the Six Nations, whose fame of power, may in some measure exceed the reality, while they only act a timid and neutral part. This I apprehend to be their modern State. Now to hinder the incursions of the French, and to revive the spirits of the Six Nations and their allies, nothing can conduce more to those desireable ends, than first, establishing Garrisons in the most commodious places among them; for till such time as their familys and corn lands ettc are covered and protected by us, it will be difficult, if at all practicable, to obtain their assistance against the French on any emergency.

I am now to mention sentiments of the Six Nations in regard to the settlements intended to be made at Ohio; they dont like that either the French or English should establish themselves there, it being their best hunting ground; they rather expected we should assist in keeping and driving the French off, than that we should build Forts only to restrain the French from coming down further upon ourselves. I believe, were the French hindered from settling, we could have treated with them for those lands, as they never refused us the pre-emption which is

more pleasing to them being without hostility, than for the French to take them as it were by force, and treat them as tho' they were conquered.

To enumerate other requisites, necessary to counteract our common Enemy, it is to be observed, that there are stores provided for all Indians at Niagara and all other French Trading Houses and Forts to the Westward, which are not only sold, but given occasionally, as the Indians stand in need of them; such kind of encouragement should be provided for by an allowance to the King's Officer at Oswego (or at any other Forts or Trading houses that may be built in the Indian Country) who should always be Commissary to regulate the Trade. This allowance should be expended in some cloathing for presents, also Arms Ammunition and particularly provisions to be given when he Treats with the Foreign Indians; they being from their long journey thither, always in need of them there, and on their return to their own Country.

A strict look out at Oswego should be kept to hinder the French from passing by there, up the Onondaga River, among the Six Nations either to Trade with or corrupt them. There should be some English continually residing in every Nation, whether Military Officers, or others, to keep up a continued correspondence. The different Govern^{ts} on the Continent should do the same both by sea and land, quite from Georgia through the Country of the Indians inhabiting both Carolinas from South to North, that the several Colonies may be alarmed of the actions or designs of the French; this in a great measure might be done by Indians, from the Senekas Country, as they keep up a strict correspondence with the different Nations inhabiting beyond them; and that being our frontier as well as theirs, it would be necessary to have a Fort there (Senecas) garrisoned by Soldiers as soon as may be. Here I cant help observing that for want of a strict correspondence between the several Govern^{ts} as above, in regard to Indian affairs, that the Indians must think there can be no union in our Councils, when it has been known more than once, that the Six Nations have been invited to a conference by different Colonies at the same time. This looks among the Indians, as tho' our Measures were not mutual, and occasions them to be divided in their Councils also, being doubtful of our acting with vigour and unanimity ettc. against the French. The Post from Virginia if more certain, would, be more usefull, being but very precarious at present.

A Fort also at Onondaga where the Six Nations and their Allies hold their General Council, would be very requisite, with a proper Officer and a brisk party of Men, also a Missionary; Smiths to be sent at proper seasons to all the Tribes to mend and keep in order their arms and working utensils.

A Smith also at Oswego to repair the arms, kettles ettc. of the Far Indians, who come there annually to Trade.

A further encouragement to a more general trade and intercourse with all the Indians far and near at that place, as it is a general Mart or fair, and known to them all, might be promoted by taking off the duties, that the Traders could afford to undersell the French. A place of such universal importance should be largely supported by the Colonies in general; it being of more concern towards the retaining all the Indians upon the continent in the British Interest, than any thing yet proposed, that is, a proper Officer at that place with the allowances afore mentioned; a sufficient number of Men to resist the French if attacked, and to hinder their passing the Onondaga River, or the South side of the Lake Ontario. the Fort should be much larger and stronger than at present; it is by its situation capable of being made so strong as to render it impregnable to any attempts the French might have against it.

This would be to good purpose, and under the protection of this Fort might vessels be built for Service on the Lake.

Young Men of learning, at least Grammar, to reside among the Tribes of the Onondagas, Senecas, and Mohawks, in order to become good interpreters in every dialect, which we are much wanted. Those might serve also for Schoolmasters or Catechists.

It might be expedient to remind the Indians of their ancestors having given and rendered up all that land or Country, at least the pre-emption of it, where their Beaver hunting was, to his Majesty King William, which they won by the sword eighty years before, besides their own Native land, which they gave also and earnestly desired an instrument to be drawn to that purpose, and that it might be carried over to the King by Robert Livingston then their Secretary, which afterwards was done in the year 1727.—The Question then should be whether the Indians will join us in defending their own property in those Lands, while we have only a promise of pre emption; if they answer in the affirmative, it will be necessary that all the Colonies give them the strongest assurances that they will support them against the French or any Enemy, as far as the nature of our constitution will admitt of.

They the five Nations, should be reminded, that they have frequently desired that the covenant Chain might reach from New York to Chenondoanah[1] in the Senecas Country, and that all the people who live within it, may be secure from the attempts of an Enemy; that they further said, they would remove the end of it to Teughsaghrontey (Detroit) or Wawiaghtenhook, were it in their power, but that the French would mock at it, as they have taken it into their possession already against their will, sending people thither to build a Fort; but that they hoped the French would speedily be removed. This may serve to shew the early and continued incroachments of the French.

Wm Johnson

Order in Council rejecting the Address of the Assembly of New-York.

[New-York Papers, Bundle Kk., No. 32.]

At the Court at Kensington the 6th day of August 1754.

Present— The Kings Most Excellent Majesty in Council.

Upon reading at the Board a Report from the Right Honourable the Lords of the Committee of Council for Plantation affairs dated the 18th of last month in the words following. viz[t]

"Your Majesty having been pleased, by your order in Council of the 8th of April last, to "refer unto this Committee a Representation of the Lords Commiss[rs] for Trade and Plantations "upon an address of the General Assembly of the Province of New York to your Maj[ty], relative "to the 39th article of your Maj[ty's] Instructions to the late Gov[r] of that Province.—The Lords "of the Committee, in obedience to your Maj[ty's] said order of reference, have taken the

[1] This Indian village is laid down on the west bank of the Genesee River, about fifteen miles south of Lake Ontario, on *Pownall's Map of the Middle British Colonies.* — Ed.

"said representation and address into their consideration, and to find that the Assembly "have in this address asserted, that the imputations contained in the said 39th Article of your "Majtys Instructions were groundless, and have been most falsely and maliciously represented "to your Majty. But the said Lords Commissrs set forth in their said representation ""That "" as this Instruction was founded upon their Report upon the state of that Province, dated "" the 2nd of April 1751., They think it their duty in justification to themselves, and for the "" support of your Majty's honour and dignity, to observe, that the several Facts therein "" contained, and which are recited in the Instructions are verified in the clearest and strongest "" manner, by a variety of incontestable evidence. That it appears from the Journals of the "" proceedings of the Council and Assembly, that during the greatest part of Mr Clinton's "" Administration, Faction, Animosity, and disagreement did subsist between the different "" branches of the Legislature, and that the publick peace and tranquility of the Province "" was greatly disturbed. That it appears from the Acts of the Assembly, particularly by "" those for raising money for public service, which are all of a temporary nature, and to "" which your Majtys Govr was necessitated from the exigencys of the service in time of War, "" to give his assent, that the Assembly have taken to themselves, not only the management "" and disposal of such public money, but have also wrested from your Majty's Govr the "" nomination of all Officers of Governt, the custody & direction of all the public Military "" Stores, the mustering and regulating of Troops raised for your Majty's service, and in short "" almost every other executive part of Governt by which unwarrantable encroachments and "" Invasions of your Majesty's just and undoubted authority, order and good Governt were "" subverted, your Majty's service obstructed, and the security of the Province endangered; "" as therefore every imputation of misconduct in the Assembly mentioned in your Majty's "" said Instruction, is so clearly proved from their own act and proceedings; The said Lords "" Commissrs are of opinion that no regard ought to be had to the assertion in their address, "" that they have been falsely and maliciously represented" And the Lords of the "Committee agreeing in opinion with the said Lords Commissrs for Trade & Plantations, "do therefore humbly Report to Your Majty, *that the said address of the General Assembly of the "province of New York ought to be rejected.*"

His Majesty this day took the said Report into consideration and was pleased with the advice of His privy Council to approve thereof and to order as it is hereby ordered, that the said address of the General Assembly of the Provce of New York, Be, accordingly rejected. Whereof the Lieutt Govr or Commander in Chief of His Majty's Provce of New York for the time being, and all others whom it may concern, are to take notice, and govern themselves accordingly

(a true copy) W. Sharpe.

Lords of Trade to Secretary Robinson.

[B. T. Plantations General Entries, K., 368.]

To Sir Thomas Robinson one of His Majesty's Principal Secretaries of State.

Sir

In obedience to His Majesty's commands signified to us by your letter of the 14th of June last, we have prepared a Plan of General Concert to be ent'red into by His Majesty's several Colonies upon the Continent of North America for their mutual and common defence, and to prevent or remove any encroachments upon His Majesty's dominions; which Plan we herewith inclose to you, together with our Representation to His Majesty upon it; which we desire you will be pleased to lay before His Majesty.

We are, Sir

Your most obedient
and most humble Servants

Dunk Halifax
Jam: Grenville
Fran. Fane
And: Stone
Jam^{s} Oswald
Rich^{d} Edgecumbe
Tho^{s} Pelham.

Whitehall
August 9th 1754.

Representation to the King with plan of General Concert.

[Plantations General Entries, K., 369.]

To the Kings Most Excellent Majesty

May it please Your Majesty.

In obedience to Your Majesty's commands signified to us by Sir Thomas Robinson, one of Your Majesty's Principal Secretaries of State in his letter dated the 14th of June last, we have prepared and herewith humbly beg leave to lay before Your Majesty the draught of a Plan or Project of General Concert to be entred into by Your Majesty's Several Colonies upon the Continent of North America for their mutual and common defence, and to prevent or remove any encroachments upon Your Majesty's Dominions.

This Plan consists of three distinct parts or propositions, viz^{t}

1st That a certain and permanent method be established for maintaining such Forts as are already built upon their Frontiers, or may be further necessary to be built for supporting proper garrisons in such forts, for defraying the expence of the usual and necessary presents to the Indians & other contingent charges, and for establishing & subsisting Commissarys in such of the Forts as shall appear to be necessary for the management of Indian services.

2d That upon any attack or invasion upon any of Your Majesty's Colonies, provision may be made for raising such a number of troops over and above those upon the ordinary Establishment, as may be necessary to oppose and repel such invasion or attack.

3. That the command of all the Forts & Garrisons and of all Forces raised upon emergencies & the sole direction of Indian Affairs be placed in the hands of some one single person, Commander in Chief, to be appointed by Your Majesty, who is to be authorized to draw upon the Treasurer or other proper Officer of each Colony for such sums of money as shall be necessary, as well for the ordinary as extraordinary service, according to the Quota settled for each Colony.

The two first points are proposed to be established by the mutual consent and agreement of the Colonies themselves, to be finally ratified and confirmed by Your Majesty; it appearing to us that this method might be liable to the least objection and perhaps the speediest in point of execution.

With regard to the manner in which the Colonies are to proceed in deliberating upon and settling such parts of it as depend upon them, the view and object of the measure and the general plan of it is precisely stated to them, the points upon which they are to deliberate, and for which provision is to be made on their part, the method of proceeding in settling those points, and of finally ratifying and confirming them when settled, are ascertained as the preliminaries upon which they are to proceed.

The necessity of this Union and the security and advantages which will arise to the Colonies from it, are so apparent, that we hope no difficulty will occur on their part. If however it should be found upon trial that this measure should be defeated by any of the Colonies either refusing or neglecting to enter into a consideration of the points referred to their deliberation; or, after they are settled, by refusing to raise such supplies as are proposed by this plan to be the fund for the execution of it: We see no other method that can be taken, but that of an application for an interposition of the Authority of Parliament.

The execution of the third and last Proposition of this plan, so far as regards the power which the Commander in Chief will have over the Forts & Garrisons, and over all troops raised in the Colonies and in the management of Indian Services, depends singly upon Your Majesty; who may, as we humbly apprehend, legally and by virtue of your own authority, invest any person your Majesty shall think proper, with such power. In order however to the proper and effectual exercise of this power it is proposed that it should be agreed and settled by the Colonies, that he should be authorized under certain regulations and restrictions to draw upon the Treasurer or other proper officer of each Colony for such sums as shall be settled to be paid by them for the ordinary as well as the extraordinary service. We shall not take up Your Majesty's time in entring into any arguments to prove the propriety and necessity of an appointment of this kind, as we humbly apprehend it will evidently appear to Your Majesty, that circumstanced as the Colonies are, divided into seperate and distinct Provinces, having little or no connexion with or dependence upon each other, neither this nor any other plan of Union could be effectual, unless the command of the Forts and troops and the management of Indian affairs and services should be put under one general direction.

These are the principal observations which have occurred to us as necessary to be submitted to Your Majesty upon this Plan; to which however Your Majesty will permit us to add, that as it is proposed that in order to settle the several Points, the Commissioners nominated by the Colonies should meet at such time and place as Your Majesty should appoint; we humbly

submit it to Your Majesty whether it may not be adviseable that the City of New York should be the place of meeting, as being the most central & therefore the most convenient in point of situation.

Upon the whole however we must observe to Your Majesty that from the delay which must necessarily attend the execution of any new plan for an Union of the Colonies, it cannot be made to answer the purpose of a present exigency. Whatever circumstances therefore of danger or exigency may subsist at this time, such danger must be guarded against and such exigency provided for, by an application of such means of strength and force as can be procured in the most expeditious and effectual manner under the direction of some proper person to be appointed by Your Majesty[s] Commander in Chief of all Your Majesties Forts and Garrisons in North America and of all Forces raised therein or sent thither, and likewise Commissary General for Indian Affairs; which, for the reasons we have already given, appears to us to be absolutely necessary and expedient for your Majesty's service

All which is most humbly submitted

Dunk Halifax
Jam[s] Grenville.
Fran: Fane
And[w] Stone
Jam[s] Oswald
Rich[d] Edgcumbe
Tho[s] Pelham.

Whitehall
Aug. 9. 1754

Plan for a General Coöperation of the North American Colonies.

[B. T. Plantations General Entries, K., 880.]

The Draught of a Plan or Project for a General Concert to be entred into by His Majesty's several Colonies upon the Continent of North America, for their mutual and common Defence, and to prevent or remove any encroachments upon His Majesty's dominions. 9 Aug. 1754.

It is proposed that a Circular Letter or Instruction be forthwith sent to the Governors of all the Colonies upon the Continent of North America to the following purport and effect, viz[t]

To set forth the danger to which they are exposed from the encroachments and invasions of a foreign Power.

That the only effectual method of putting a stop to these encroachments and invasions, and preventing the like for the future will be forthwith to agree upon a Plan for maintaining and supporting a proper number of Forts upon the frontiers, and in such other places as shall appear to be necessary for the general security of the Colonies; for raising & subsisting regular Independant Companies for garrisoning such Forts; for making provision for defraying the expences of presents for the Indians and for the other contingent charges of that service, and for putting Indian Affairs under one general direction; and for raising and maintaining troops for the general security service and defence of the whole, upon any attack or invasion.

To state the urgent necessity there is of an immediate Union of the several Colonies upon the Continent, for this purpose.

To direct the Governors forthwith to recommend these points to the serious consideration of their respective Councils and Assemblies, and to propose to them to appoint proper persons (one for each Colony) subject to the Governor's approbation, to meet at such time and place as His Majesty shall appoint, in order to treat and deliberate upon this matter.

That the persons appointed to be the Commissioners for this purpose be instructed to consider, in the first place, of the number of Forts necessary to be maintained and supported, and what number of regular forces will be sufficient for garrisoning such Forts, and to prepare an estimate of the annual expence thereof and of the expence of Presents for Indians and other contingent charges attending this service.

That provision be likewise made in such estimate for maintaining Commissaries to be established by His Majesty in such Forts as shall be thought proper for the regulation and management of Indian affairs.

That in order to settle these estimates with the greater exactness the Commissioners be furnished with authenticated Accounts of the particular expence which each Colony has been at for twenty years last past, for these services, and in what manner the money has been applied and disposed of.

That when the Estimates shall have been settled, the Commissioners do agree upon the quantum of money to be supplied by each Colony for defraying the expence of this service.

That in settling such Quantum, regard be had to the number of inhabitants, trade, wealth and revenue of each Colony; for which purpose the Commissioners are to be furnished with very full and authenticated accounts of these particulars, and of the state of each Colony respectively.

That the said Commissioners do agree that in case of any emergency by invasion or otherwise, whereon it may be necessary to raise troops for the general defence of the whole, beyond the number upon the ordinary establishment, the expence thereof shall be defrayed by each Colony, according to the proportion each Colony is to bear of the ordinary established Charge for Forts &c

That the Governors do signify to their respective Councils and Assemblies that His Majesty will appoint a proper person to be Commander in Chief of all His Majesty's Forts and Garrisons in the Colonies in North America and of all Troops already raised there or which may hereafter be raised or sent thither upon any emergency and also Commissary General for Indian Affairs; and that provision may be made in the estimate for the ordinary established service, for a proper salary for such Commander in Chief.

That it be settled and agreed by the Commissioners at the general meeting that the said Commander in Chief and Commissary for Indian Affairs be impowered from time to time as occasion may require, to draw upon the Treasurer, Collector, Receiver or other proper officer appointed to receive the Taxes or Duties levyed and raised in each Colony respectively, for such sums of money as shall be necessary for maintaining & supporting the several Forts and Garrisons, making Presents to the Indians and all other contingent charges, according to the general estimate agreed upon for the ordinary established service, & in proportion to the Quantum settled for each Colony; taking care to transmit annually to each Colony a particular estimate, expressing the particular service for which such draughts are made.

That in all cases of attack or invasion whereon it may be necessary to raise troops for repelling such invasion or attack beyond the number on the ordinary Establishment, the estimate of the charge of such troops, of extraordinary presents to the Indians and of the other Contingent Expences shall be formed by the Governor Council and Assembly of the Colony invaded or attacked, and immediate notice thereof transmitted by the Governor of such Colony, with a Copy of the estimate, so prepared as aforesaid, to the Governors Councills and Assemblys of the other Colonies upon the Continent, and that it be settled and agreed by the Commissioners at the general meeting, that upon such notice so sent, a Commissioner shall be forthwith nominated and appointed to each Colony respectively to meet at such place as the Commander in Chief shall appoint, in order to take into consideration and deliberate upon the aforementioned estimate so prepared by the Colony invaded, with full power to alter the same in such manner as shall be thought expedient, and that when the same shall have been agreed upon by the majority of the Commissioners who shall be there present, any five of which shall make a Quorum, the Commander in Chief shall be impowered by them to draw upon the Treasurer or other proper officer of each Colony for the respective Quotas each Colony is to bear, of such expence, in proportion to the ordinary established estimate for Forts &c

That the draughts of the Commander in Chief as well for the ordinary as extraordinary service be paid by the Treasurer &c of each Colony respectively out of any money lying in his hands, in preference to all other services whatever, and that in case it shall so happen that the Treasurer of any Colony shall not have in his hands a sufficient sum to answer such draughts he be impower'd, by the general agreement, to borrow such a sum as shall be necessary; for repayment of which provision is to be forthwith made by the Assembly.

That it be signified, that the said Commander in Chief will be directed to transmit to each Colony once in every year, an account upon oath of all his disbursements for the publick service, and that he will be obliged to account in His Majesty's Exchequer for all money received and disposed of by him.

That each Colony may appoint a Commissioner to view and inspect from time to time as they shall think proper the state of the several Forts and Fortifications, and of the repairs made thereon, and to make report thereof to the Governor, Council and Assembly of such Colony respectively, & that each Colony may likewise make Representations from time to time to the Commander in Chief, of the state of each Colony, and propose to him such measures as shall occur to be necessary for the general good of the whole.

That when the Commissioners have deliberated upon and settled the foregoing points, they do transmit to His Majesty's Secretary of State & to the Commissioners for Trade and Plantations, to be laid before His Majesty, attested copies of all their Minutes and Proceedings and that they do prepare a Project or draught of a General Convention upon the foregoing Points and transmit copies thereof to the respective Colonies to be forthwith laid before the Governors, Councils and Assemblies, who are to take the same into immediate consideration, and having made such alterations therein or additions thereto as they shall think necessary, shall return them to the Commissioners within two months, and when all the copies shall have been returned the Commissioners shall resume their deliberations; and having finally settled the whole, the Convention shall be fairly drawn up and signed by each Commissioner and transmitted hither in order to be laid before His Majesty for his approbation

And in case it shall so happen that any of the Colonies shall neglect to appoint a Commissioner to be present at the General Meeting, or such Commissioner when appointed shall neglect or refuse to attend, such neglect or refusall shall not prevent the Commissioners present (any seven of which to be a Quorum) from proceeding upon the consideration of the foregoing points; but that the Convention shall be proceeded upon and finally settled and agreed by a Majority of the Commissioners, and when so settled and ratified by His Majesty shall be binding upon the whole.

That the Governors be directed to signify to their respective Councils and Assemblies that His Majesty does not intend to withdraw that part of the expence which the Crown has been usually at, for the security and protection of the Colonies; but that he will be graciously pleased to continue to maintain and subsist such a number of his troops as shall appear to be necessary to be stationed in America; and does also consent that whatever sums of money have been usually given by His Majesty for Indian Services shall be deducted from the generall estimate, as the share His Majesty is willing to bear of the ordinary establishment for this service, and that upon any great emergency they shall receive such support from His Majesty as shall be thought reasonable upon a due consideration of the Nature of the case and of what the Circumstances and conditions of the Colonies shall seem to require.

Reverend Dr. Cutler to Dr. Secker,[1] *Bishop of Oxford.*

["American Colonies MS.," Lambeth Palace, No. 1128, I., No. 81.]

My Lord

Your very good and condescending letter came to hand July 28.

Had any important charge risen from the pamphlets I sent Your Lordship, I had presumed to lay it before: but I thought it too minute to mention, and myself happy enough in Your

[1] Most Reverend Thomas Secker was a native of the village of Sibthorp, Nottinghamshire, and was born in the year 1693. His parents were Dissenters, and designed their son for orders in their communion; but in 1716 he applied himself to the study of physic, to improve himself in which he went to Paris in 1719. In 1720, however, he resolved to take orders in the Church of England, and was (after suitable study) ordained Priest in March, 1723. The following year he was appointed rector of Houghton le Spring, and in 1725 married the sister of Bishop Benson. In 1727 he became rector of Ryton, and in 1732, on the recommendation of Bishop Sherlock, was appointed Chaplain to the King, and in the following year rector of St. James. In January, 1735, he was appointed Bishop of Bristol, and in May, 1737, translated to the See of Oxford. In 1740, he preached the Anniversary Sermon before the Society for the Propagation of the Gospel in Foreign Parts, in which he reviewed the state of Religion in the Colonies, and urged the necessity of appointing Bishops in America. "Had they Bishops there, persons might be ordained without the inconveniencies of a long voyage; vacancies might be supplied in much less time; the primitive and most useful appointment of confirmation might be restored, and an orderly discipline exercised in the Churches. Nor would such an establishment (proceeded he) encroach at all on the present rights of the Civil Government in our Colonies, or bring their dependence into any degree of that Danger which some persons profess to apprehend so strongly on this occasion, who would make no manner of scruple about doing other things much more likely to destroy it; who are not terrified in the least that such numbers there reject the Episcopal Order entirely; nor perhaps would be greatly alarmed were ever so many to reject Religion itself." *Sermon*, p. 28. He followed this up in 1751 by a Letter to Horatio Walpole in support of the same views. In 1763, Dr. Mayhew of Boston came out in a pamphlet against the Society, and in opposition to the appointment of Bishops in the Colonies; to confute this, Dr. Secker published an answer in 1764, in which he explained the plan of such an establishment, wherein the powers and duties of the proposed Bishops were confined to about the same sphere as they now move in. To carry it out, however, required the interposition of

Lordship's acceptance; now Your Lordship's Command, must determine me; who think it my duty to obey, and not dispute. Dr Mayhew's Sermon cost 9d sterling. The price of his Election Sermon now enclosed has 5s written on it, and charged by the bookseller and is but equal to 6d sterling. What else I enclosed has unhappily slipped my memory: but the cost was in the same proportion. The whole impression of Hobart's Sermon is now disposed of; nor could I procure a single copy upon any consideration. Some time ago, by great chance, I got one Copy for the Secretary of the Society, and it is now in his hands. It looks odd to us, that Mayhew should be appointed to preach the Election Sermon in that place where the regular teachers of the town, disliking his sentiments in religion, would not take him to bear a part in their weekly lecture: but for this service, he most thank some friends he had in our general Assembly. I understand, my Lord, that some other books, no small Octavos, are now in the press. One is a Vol. of Dr Mayhew's sermons. Another is the second Vol. of Mr Prince's Chronology of New England. He is justly counted a fanciful, credulous man, of the same spirit, without the boldness of Dr Mayhew. The 3d is a treatise of Mr Jonathan Edwards, a new light, famous both among us and in Scotland, upon the doctrines of Election and Reprobation, which he would place upon the same footing with the H. Scriptures. I have known the man for many years, and think him superior to Mayhew or Prince, a man of much sobriety and gravity, and of more decent language than they; but odd in his principles, haughty and stiff and morose. There are an hundred subscriptions to the impression, from Scotland. I hesitate about sending these books to Your Lordship, but am ready to observe any hint of Your Lordship's pleasure about them.

The good circumstances of the Society are a comfort to us, and give us hope towards the success of our applications to them in behalf of places where churchmen are in a body, but too weak to support that interest, of themselves. I say not this to weaken Your Lordship's just remarks on the prudence requisite to conduct the Charity towards us: but am sure that as the wisdom of the Society is on the one hand too great to give an handle to the licentious speech of Dissenters, so is it on the other hand to be controul'd on proper occasions to do good.

Your Lordship's good inclination towards resident bishops among us does highly gratify and oblige us. And if that blessing must yet be suspended, we trust in the wisdom and goodness of our superior to be thoughtful of us in the *interim*, and in God over all to succeed and reward their charitable concerns for us in due time. No wonder the dissenters oppose it: they are consistent in principle and interest. Interest of their cause, I mean, and not of their persons. The truth would brighten, and it would be a credit to be a Churchman.

Parliament, and this it was that spread an universal alarm throughout the Congregational and Presbyterian churches in the Colonies. "It excited (says John Adams) a general and just apprehension that Bishops, and Dioceses, and Churches, and Priests and Tythes were to be imposed upon us by Parliament. It was known that neither King, nor Ministry, nor Archbishops, could appoint Bishops in America without an Act of Parliament; and if Parliament could tax us, they could establish the Church of England, with all its Creeds, Articles, Tests, Ceremonies and Tythes, and prohibit all other Churches as Conventicles and Schism-shops." This feeling, backed by the vote of the Dissenters in Great Britain, prevented the success of Dr. Secker's efforts in this regard. In 1758, he succeeded Dr. Hutton as Archbishop of Canterbury, and continued to take a lively interest in the affairs of the Episcopal Church in America until his death, which occurred on the 3d of August, 1768, in the 75th year of his age. He was (says his great antagonist, Dr. Mayhew) "a person of excellent sense, with a happy talent at writing; apparently free from the sordid illiberal spirit of bigotry; one of a cool temper, who often showed much candour and was in genaral a fair reasoner." Dr. Porteus, Bishop of London, published a Life of Archbishop Secker, from which most of the above particulars are taken. —Ed.

Your Lordships representation of the state of religion is very melancholy, but comfortably qualified. We share in the unhappiness of the times. There is scarce any bad book that does not cross the water: and but few good ones follow them: nor are our Clergy furnished with learning or leisure to yield antidotes. I acknowledge Your Lordship's great goodness that is disposed to help us in this unhappy state.

The Undeserved kindnesses of the late excellent bishop of Cloyne[1] to me will not suffer me to forget him or his, and your Lordship has much obliged me by the account of his lady, promising Son, and daughter; and this gives me hopes, that when opportunity serves Your Lordship will present my honourable regards and best wishes to them. Perhaps the lady does not know the death of Mr Smibert who was in the Dean's Company in his travels in Europe, and came over with him to New England. He was a man of an honest, amiable easy temper, but an inflexible Dissenter.

May God continue Your Lordship for many years as a blessing to the Church: Your Lordship's happiness will be an article in my prayers and joy. I trust for the benefit of Your Lordship's Compassions toward, myself, and my only son now Curate to the Revd Dean of Bocking, and am, as obliged,

Your Lordship's most
thankful and dutiful Son & Servant
(signed) TIMOTHY CUTLER[2]

Boston New England
August 28 1754

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 28.]

New York. 8 October 1754.

My Lords,

With my last of the 22 July, a duplicate of which I now enclose, I transmitted to your Lordships the proceedings of the Commissioners at Albany, and two papers, the one drawn up by Coll: Johnson, the other by Mr Pownall, and did then acquaint your Lordships that I had

[1] Right Reverend Dr. Berkeley.

[2] TIMOTHY CUTLER, D. D., President of Yale College, was the son of Major John Cutler of Charlestown, Mass., and was graduated at Harvard College in 1701. He was ordained Jan. 11, 1709, minister of Stratford, Conn., where he continued ten years in high esteem, being the most celebrated preacher in the colony. In 1719 he was chosen President of Yale College, and entered upon the duties of the office in the same year. In 1722 he was induced, in consequence of reading the works of a number of late writers in England, to renounce the communion of the Congregational churches, and the trustees therefore passed a vote "excusing him from all further service as rector of Yale College," and requiring of future rectors satisfactory evidence of "the soundness of their faith in opposition to Arminian and Prelatical corruptions." He went to Boston in October, where a new church was offered to him, and embarked with Mr. Johnson for England, November 5th. In the latter end of March, 1723, he was ordained first a deacon and then a priest. From Oxford he received his degree of Doctor in Divinity. He set sail on his return to America July 26th, and soon after became Rector of Christ Church in Boston, where he continued till his death, August 17, 1765, aged 82 years. He was a man of strong powers of mind. He spoke Latin with great fluency and dignity, and was one of the best oriental scholars ever educated in this country. President Stiles represents him as having more knowledge of the Arabic than any man in New England before him, except President Chauncy, and his disciple, Mr. Thacher. He was also well skilled in logic, metaphysics, moral philosophy, theology, and ecclesiastical history. He published a sermon delivered before the general court at New Haven, 1717; and a sermon on the death of Thomas Greaves, 1757. *Allen.* — ED

ordered a circular letters to call the Assembly together on the 20th of August; they met accordingly, and I pressed them to give assistance to Virginia conformable to their former resolution on the Earl of Holdernesse's letter, urging the great necessity there then was from Coll: Washington's defeat. I had the good fortune to prevail on them to grant the sum of five thousand pounds for that service, out of which I was to detain three hundred forty eight pounds and seven pence half penny, which I had before advanced for victualling the two Independent Companies sent by his Majesty's command to Virginia; the remainder I have sent by Mr Dinwiddies order with Captn Julian Legg of His Majty's Ship Shoreham to Virginia, who sailed yesterday. Your Lordpps will observe the money was made payable to me, for which I issued a warrant in Council, so that I got over that point of having the money paid by the Treasurer on receipt, which had occasioned the loss of the thousand pounds before.

On the 28th August a Party of French Indians said to be of Bekancourt, a place between Quebec and Montreal, made an incurson into this Provce and burnt the houses and Barns full of grain at Hoseck, a place lying about 18 or 20 miles East from that part of Hudson's River, which is 10 Miles above Albany; they carried off with them the few remaining Indians of Scachtacook, being between fifty and sixty in Number Men, Women and Children; these had a little before, when I was at Albany, assured me of their fidelity. The Indians who did this mischief live among the French, and are entirely under the direction of the General of Canada, so that there is no room to doubt of their being encouraged to this barbarity by him, especially as the French Officer at Crown Point furnished them and the Scachtacook Indians, whom they have drawn from this province, with a vessel to carry them back to Canada across the Lake Champlain. I have received information that the French Indians have also made incursions into Massachusets Bay and New Hampshire, and taken prisoners & scalpt some of His Majtys subjects; the settlers of this Provce escaped, as notice was given of the design by some Cagnawaga Indians a few days before. The view of the French in these measures, appear to me to be no other, than to keep these provinces in perpetual alarm, and so disable them from assisting Virginia, by engaging their whole attention on the defence of their own Frontiers. I shall endeavour to bring the Assembly into providing money for the building Forts in such places, as may in some measure secure the settlements on the Borders.

This province has been at a great expence in building Forts and Batteries for its security, and much money has been laid out not so advantageously as it might have been, had a person of skill formed plans of the works; and as the Assembly I conceive are willing to raise money for building Forts and other works for the security & defence of the province, on which the French have long had an eye, I would intreat your Lordpps intercession with his Majty, that he would be graciously pleased to appoint an Engineer for this Province that the monies given for Fortifications may be employed to more advantage for the future.

I inclose the printed proceedings of the Assembly the Councils Address and a copy of the Act.

I am—My Lords,
Your Lordpps
most obedient and most
humble servant.
James DeLancey.

Bishop Sherlock to the Reverend S. Johnson.

[Chandler's Life of Johnson, 172.]

Fulham, Oct. 20, 1754.

Rev. Sir,

In consideration of Mr. Palmer's[1] circumstances, and the strong recommendation he brought from you and other worthy clergymen, I appointed a special ordination, and not being able myself to ordain, the Bishop of Bangor, at my request, was so good as to come hither and ordain him; but I refer myself to him to give you an account of his reception here.

Sir, I do heartily congratulate the Church abroad, upon the prospect of the settlement of a College at New York under the circumstances and conditions you specify. There is nothing that has come from your parts that has given me so much satisfaction; and I am, and every friend of the Church of England will be, very much obliged to you for undertaking the care of it; for upon the prudence and fidelity of those who have the first formation, the future success of this undertaking will very much depend. I remember some time ago, that I heard of this scheme, but then it was insisted, that the dissenters should have the direction entirely, and that the service of the College should be in their way. One reason offered in behalf of such settlement was, that it would be very convenient for the education of the young gentlemen of the islands; which, I own, was far from being an argument with me; for as the inhabitants of the islands are almost generally of the Church of England, I thought the putting the young people under the conduct of the dissenters, and obliging them to their manner of worship, might, in time, be attended with great inconveniences; but if the College can be settled upon the terms you mentioned, it will go a great way in showing that the zeal for establishing the Church of England is not so inconsiderable in New-England as it has sometimes been industriously represented.

I pray God grant you health and strength to accomplish this undertaking, to whose protection I recommend you, and the good work.

If I live to hear that you are settled in this new office, I shall pay great regard to your recommendation of Mr. Beach.

I am, Sir,

Your affectionate brother and very humble servant,

Tho. London.[2]

[1] Rev. Solomon Palmer was a graduate of Yale College, and afterwards a Congregational Minister in Connecticut. Having conformed he was admitted to Holy orders in the Church of England by the Right Reverend Dr. Egerton, as above stated, "being found worthy upon an examination into his Morals and good Learning." He continued a missionary in Litchfield county, Conn., and in 1761 was appointed, at his own request, to Amboy, N. J., being no longer able to bear the fatigues of an itinerant mission. But it seems he did not remove thither, as "he would by no means be suitable at Amboy, which is a polite place and the seat of the Governor, whereas Mr. Palmer has been always used to a plain retired Country Life." He was in consequence appointed to Rye, Westchester county, N. Y., in 1762. But he did not go there, the people of that place preferring another; Mr. Palmer continued at Litchfield, and in 1763 went to superintend the church at New Haven. In 1767 he was again Missionary at Litchfield and Great Barrington, where he continued until his death, which is supposed to have taken place in 1772. — Ed.

[2] Right Reverend Thomas Sherlock was consecrated Bishop of Bangor 4th February, 1727; translated to Salisbury, 1738, and to the See of London in 1748. His lordship died in 1762. *Percival on the Apostolic Succession.*

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 29.]

New York. 21. Oct^{r} 1754.

My Lords,

I omitted in my last of the 8th inst: a duplicate of which is inclosed, to acquaint your Lord^{pps} with the steps taken upon the incursions of the French Indians into this Province. I immediately ordered the City of Albany to be inclosed with Stockadoes in the places where wanting, the Blockhouses to be repaired, two hundred Men of each Regiment of Militia of the adjoining Counties to be held in readiness to march, and the whole Regiment in case of need, to the Assistance of Albany. I sent the independent Company posted in Fort George in this City to Albany, detaining a serjeant & the Invalids to do the Fort duty; and had also directed a fort to be built at a Pass on the Hudson's River about forty miles above Albany, but no workmen would undertake it on the credit of the Govern^{t}. I inclose a copy of my letter to the General of Canada—I am—My Lords,

Your Lord^{pps} most obedient
and most humble servant.
James De Lancey.

Lieutenant-Governor De Lancey to the Governor of Canada.

[New-York Papers, Bundle Kk., No. 31.]

(Copy)

New York 16. Oct^{r} 1754.

Sir,

I have received accounts from Albany, that several of the Indians of the Orondacks, and other Tribes, domiciliated within your Govern^{t}, and as I have been well informed, intirely in your direction, have lately made incursions into this, and the Neighbouring provinces, and have burnt and destroyed the Houses and Barns of the poor Farmers living at and near Hoseck within my Govern^{t}: this, in a time of profound peace between His Britanick and most Christian Majesty, is a practice so Barbarous, as I think is not warranted by any orders, and I persuade myself will not be approved of by the Most Christian King; and I would willingly flatter myself, could not have been done by the encouragement of a person of your Excell's Rank and character, and yet you will permitt me to say, it is with difficulty I can conceive, that those Indians would have attempted this piece of cruelty without your privity and connivance, since those Indians live among the French and are under your direction, what adds to the difficulty, is, that I am told, the Commanding Officer at Fort S^{t} Frederick furnished these Indians and those of Scachtacook whom they had taken with them, with a vessel to carry them back to Canada. I am in duty bound to lay these things before the King my Master.

I shall not doubt but Your Excell^{cy} will, by putting an effectual stop for the future to such Barbarities, convince the world, that the suspicion entertained on this occasion are groundless, and I hope I shall always [have] the honour to subscribe myself ettc.

James De Lancey

Reverend S. Johnson to Bishop Secker.

["American Colonies MS." Lambeth Palace, No. 1123, I., No. 85.]

Stratford in New England
October 25 1754

May it please Your Lordship

I am most humbly obliged to Your Lordship for your very kind letter of March 19th which came to my hands last August, and demands my most thankful acknowledgments.—

As to Mr Smith, he had printed his *Mirania* before Mr Barclay and I became acquainted with him, though this was soon after.—We were both very sorry and much blamed him for inserting that very abusive passage from the Review about the Universities, and advised him to efface it in all the copies he had yet in his power, and he said he was sorry he had inserted it, so that I hope none on your side of the Atlantic would ever have seen it, and I wish it never had been.

I am extremely obliged to Your Lordship for the Candor with which you condescended to peruse that little low performance of mine which Mr Chandler sent you, and for the kind things you are pleased to say of it, which I wish it could pretend to deserve, and I should have been particularly thankful for any observations you might have made on its defects, because I would by no means mislead young beginners, for whose sake it was published.—Mr Smith was desirous of getting it reprinted in London, and had my leave, and some corrections I made, and gave him a more accurate scheme for a partition of the sciences than those in the Philadelphia Edition: But when I came to see his Edition, I was not a little surprized to find what a strange liberty he had taken with it, there being scarce a page in which he had not made some alterations, many of which I think are by no means any advantage to it, but much the contrary: and though I do not think he had any unkind, (nay I believe he had a kind) intention in them yet I cannot say I thank him for them.

As to the letter about Bps, I had no notion of his publishing any such thing, as mine; and indeed it was most of it his own composition from some papers I gave him and letters I shewed him, and from what passed in conversation, and whether it was prudent to publish everything inserted in it I am not clear.—I believe he means well, and is truly an ingenious, and I hope he will be a very useful man, but he is a Youth and wants a little more knowledge both of himself and the world than he has as yet had opportunity for.—Pardon me, my Lord, for saying thus much.

What Your Lordship says on the subject of that letter is very melancholy. I now almost despair, and very much doubt those more favourable times you hope for will never come. So far from this, that I rather fear the age is growing worse and worse so fast, that the Freethinkers & Dissenters, who play into one anothers hands against the Chh, will never drop their virulence and activity, by all manner of Artifices, till they go near to raze the very Constitution to the foundation, both in Chh and State.—It is a sad omen that their interest with the Ministry should be so much superior to that of the Church, that she cannot be heard in so reasonable and necessary a thing, and when she asks no more than to be upon a par here with her neighbours, in having leave to enjoy the benefit of her own institutions as well as they. Is it then come to this, My Lord, that she must ask the Dissenters leave whether she may be allowed to send so much as one bishop; even though it were but a transient one, once in

7 years, to take care of all her numerous children, scattered over so vast a tract of the English dominions?—If these dissenting Governments in New England, who scarcely tolerate the Church, must be indulged, yet why may not one be allowed to be sent to N. York or Maryland, or Virginia or South Carolina, in which Colonies the Church is established by Law?—This is extremely hard indeed!—Our Candidates would gladly ride, if it were 5 or 700 miles, for orders, vastly rather than go over the sea 1000 leagues, which has proved so fatal to many of them.—

I have my Lord above these 30 years been trying by many good Offices, and all the means of a friendly converse with the Chief of them, to convince them that nothing more is intended than what I mentioned above, and many of them are good men and have no objection; but so far are the prevailing party from being softened, that of late they seem a good deal worse than they were, (encouraged, I suppose by their potent friends at home,) for now they will not suffer the pupils of our College at New-Haven that belong to the Church, to go to the Church there, nay, offer to fine M^r^ Punderson's own sons for going to hear their father, as I suppose he will inform the Society when at the same time the Church at New York, (where it most prevails) is about founding a College with free liberty to dissenting pupils to go to what meeting they please; nay not excluding dissenters from being even tutors, and only desiring such a preference in their Charter, as that the President of the College be always a Member of the Church, and that an abridgment of the service of the Chh be used for Morning and evening prayer, and offers at least 7 10^ths^ of the charge in founding endowing &c.—And yet such a hideous clamour is raised against her having any sort of preference or any Charter on these terms, by a small busy faction of dissenters headed by 4 or 5 bigotted violent freethinkers, as threatens throwing the Government into confusion and frustrating the whole design: and this notwithstanding that they have 3 Colleges in these Northern Colonies and the Church none. Nay they contend that no religion at all should be taught in the College rather than the Church should have any precedence.—So bitterly are they set against us! and however so much they are otherwise at variance among themselves, yet they unite with their utmost force against us, and do all they can to disaffect the Dutch towards us, who otherwise were peacebly disposed.—Thus, my Lord it is here, and so I doubt it is at home, that by how much the more mildly they are used, by so much the more assuming and active they grow in their endeavours, (not only to hinder the promoting them here, but) even utterly to demolish the Episcopate and the Liturgy there!—

And as to our gaining ground of them here in N. England, it is not owing so much, my Lord, to any endeavours of ours, as to their own wretched divisions, separations and confusions among themselves, occasioned by their late enthusiasm, and to the growth of Latitudinarianism, Arianism, Socinianism, Pelagianism and even Infidelity occasioned thereby; which lead many honest people, who can find no sure footing otherwhere to retire into the Church as the only ark of safety amid such a deluge of corrupt opinions and practices.—So that I humbly hope our great and good benefactors will not think their charity ill bestowed in contributing towards the support of the church in these parts, that it may be an Asylum and refuge for those honest wandering souls that can find no rest out of it.—This my Lord is a true state of the case: and what, I beg, would the patrons of the dissenters have us do in the case? must we discourage these people from coming into the Chh?—And yet they are in such small scattered bodies that they cannot support Ministers, (though two or three such collections join together) without assistance: Is it then an ill judged charity to give them a little help?—

I again humbly beg Your Lordship's pardon for my tediousness and this too great freedom in writing, to which your great goodness & condescension hath too much emboldened me. I am very glad to find the late excellent Bp Berkely has so very worthy a son. He lately did me the honour of a most kind and elegant letter, to which I reply by this opportunity.—There has been no reply published to Mr Beache's answer to Hobart, nor any thing else pro or con, relating to the Chh.—I purpose, notwithstanding the opposition soon to settle myself at N. York in the care of their Young College; in view of which, I humbly ask Your Lordship's prayers and blessing, and remain, with the utmost veneration, My Lord, Your Lordship's

most dutiful most obliged
& obedient humble Servant,

To My Ld of Oxford. (signed) SAMUEL JOHNSON[1]

[1] Rev. SAMUEL JOHNSON, D. D., the first President of King's (now Columbia) College, in New York, was born at Guilford, Conn., October 14, 1696, and in 1714 graduated at Yale College, where he continued as a tutor until 1720, when he was ordained Minister of the Congregational Church at West Haven. In 1722 he, with several other clergymen, avowed their preferences for the doctrines of the Episcopal Church, and proceeded to England, where they received Holy Orders in 1723, and returned to America; Mr. Johnson being put in charge of the Church at Stratford. At this time he was the only Episcopal Minister in Connecticut. In 1743, the University of Oxford conferred the degree of Doctor of Divinity on him, and in 1754, he was unanimously elected President of the newly instituted College at New York, to which city he accordingly removed. He filled that office until February, 1763, when he resigned and passed the remainder of his days at Stratford, where he resumed his former charge, and died January 6, 1772, aged 75 years. His death, the Society for the Propagation of the Gospel declared to be a public loss to the American Church. The following is a list, as far as we have been able to ascertain, of Dr. Johnson's writings:—

Plain Reasons for conforming to the Church. 1733.

Letter of Aristocles to Authades, concerning the Sovereignty and Promises of God. 12mo. Boston, 1745.

Sermon concerning the obligations we are under to Love and Delight in the Public worship of God, preached at the opening of Christ's Church at Stratford. 4to. Boston, 1746.

A System of Morality, containing the first principles of Moral Philosophy or ethics, in a chain of necessary consequences from certain facts. 1746.

Letter to Jonathan Dickinson in Defence of Aristocles to Authades, concerning the Sovereignty and Promises of God. 12mo. Boston, 1747.

Elementa Philosophica; or Things relating to the Mind and to Moral Behaviour. 8vo. Philadelphia: Franklin, 1752. (An edition of this work appears also in the Catalogue of Harvard College under this title:—

Noetica or the First Principles of Metaphysics and Logic, &c. 8vo. Philadelphia, 1752.

Ethica, or the First Principles of Moral Philosophy. 8vo. London, 1752.)

A Demonstration of the Reasonableness, Usefulness, and great Duty of Prayer. 1761.

A Sermon on the Beauty of Holiness in the Worship of the Church of England, being a brief Rationale of the Liturgy. 8vo. New-York. 1761.

A Letter to a Friend; entitled, a Short Vindication of the Society for the Propagation of the Gospel in Foreign Parts. By one of its members. This forms an appendix to Dr. Caner's Candid Examination, published in 1763.

A Catechism and an English Grammar. 1765.

A Hebrew Grammar. London. Faden. 1767. The two last were also republished the same year, under the title of—

An English and Hebrew Grammar, being the first short Rudiments of those two Languages, taught together.

Two Sermons on Humility and Charity, delivered at New Haven. 8vo. New Haven. 1768.

The Rev. T. B. Chandler wrote the *Life of Samuel Johnson*, D. D., which was published in one Vol., 12mo. New York. T. & J. Swords. 1805.—ED.

Secretary Robinson to the Governors in North America.

[Governors and Commanders in North America, (S. P. O.) No. 74.]

Whitehall Oct^{r} 26th 1754.

Sir,

Having informed you in my letter of July 5th that the King had under his Royal consideration the State of affairs in North America; I am now to acquaint you, that, amongst other measures, that are thought proper for the defence of His Maj$^{ty's}$ just rights and dominions, in those parts, the King has not only been pleased to order two Regiments of Foot, consisting of 500 Men each, besides Commissioned and non Commissioned Officers, commanded by Sir Peter Halkett,[1] and Col: Dunbar,[2] to repair to Virginia, and to be there augmented to the number of 700, each; but, likewise, to send orders to Gov^{r} Shirley and Sir Will^{m} Pepperell, to raise two Regiments, whereof They are respectively appointed Colonels, of 1000 Men each; and, also to sign Commissions for a number of Officers to serve in the said two Regiments, and who will forthwith repair to North America, for that purpose.

Whereas there will be wanting a considerable number of Men to make up the designed complement of the said four Regiments, it is His Maj$^{ty's}$ pleasure, that you should be taking the previous steps, towards contributing, as far as you can, to have about 3000 Men in readiness to be enlisted; and it is His Maj$^{ty's}$ intention, that a General Officer, of Rank and Capacity, to be appointed to command in Chief all the King's forces in North America, a Deputy Quarter Master General, and a Commissary of the Musters, shall set out, as soon as conveniently may be, in order to prepare every thing for the arrival of the Forces abovementioned from Europe, and for the raising of the others in America.

You will receive from that General, and the other Officers just mentioned, a full and exact account of the Arms, Cloathing, and other necessaries, to be sent, upon this important occasion, as likewise of the Ordnance Stores, and of the Officers, and attendants, belonging thereto. All which being ordered for this service, are such proofs of His Maj$^{ty's}$ regard for the security and welfare of his subjects in those parts, as cannot fail to excite you to exert yourself, and those under your care, to take the most vigorous steps to repel your common danger, and to shew, that the Kings orders, which were sent you last year, by the Earle of Holdernesse, and were renewed to you in my letter of the 5th July, have, at last, rouzed that emulation, and spirit, which every Man owes at this time, to His Maj^{ty}, the publick and himself. The King will not

[1] Sir Peter Halkett, of Pitferran, Fifeshire, a baronet of Nova Scotia, was the son of Sir Peter Wedderburne, of Gosford, who assumed his wife's name. In 1734, he sat in the House of Commons, for Dunferline; and was Lieutenant Colonel of the 44th at Sir John Copes' defeat, in 1745. Being released on his parole, by Charles Edward, he was ordered by Cumberland to rejoin his regiment and serve again against the Jacobites. With great propriety, he refused such a dishonorable duty, saying that "his Royal Highness was master of his commission, but not of his honor." The King approved of Sir Peter's course, and he retained his rank. On the 26th of February, 1751, he succeeded to the Coloneley of his regiment. He was killed, at the head of his regiment, in the battle of Monongahela, on the 9th July, 1755; and his bones lay unburied until 1759, when they were discovered by his son and decently interred. *Sargent's Expedition against Fort Duquesne*, 274, 294.

[2] Colonel Thomas Dunbar, had been Lieutenant Colonel of the 18th of Royal Irish; and on the 29th April, 1752, was promoted to the Coloneley of the 48th regiment of Foot. In November, 1755, he was superceded in the command of this regiment, and sent into honorable retirement as Lieutenant-Governor of Gibraltar, in consequence of his injudicious retreat, after General Braddock's defeat. He became Major General on the 18th of January, 1758, and a Lieutenant General on December 18th, 1760, but was never again employed in active service. He died previous to 1778. *Ibid*, 267. — Ed.

therefore imagine, that either you, or the rest of his Govrs, will suffer the least neglect or delay, in the performance of the present service, now strongly recommended to you; particularly with regard to the following points: vizt: That you should carefully provide a sufficient quantity of fresh victuals, at the expence of your Governt, to be ready for the use of the Troops at their arrival.—That you shd likewise, furnish the Officers, who may have occasion to go from place to place, with all necessaries for travelling by Land, in case there are no means of going by sea. And: That you should use your utmost diligence, and authority, in procuring an exact observance of such orders, as shall be issued from time to time by the Commander in chief, for quartering the Troops, impressing carriages, and providing all necessaries for such forces, as shall arrive, or be raised within your Governt.

As the Articles above-mentioned are of a local and peculiar nature, and arising entirely within your Governt, it almost needless for me to acquaint you, that His Majty will expect, that the charge thereof be defrayed by His subjects belonging to the same. But, with regard to such other articles, wch are of a more general concern, it is the King's pleasure, that the same should be supplied by a common fund, to be established for the benefit of all the Colonies collectively in North America; for which purpose, you will use your utmost endeavours to induce the assembly of your province, to raise forthwith as large a sum as can be afforded, as their contribution to this common fund, to be employed, provisionally, for the General service of North America, (particularly for paying the charge of levying the Troops, to make up the complements of the Regiments abovementioned) until such time, as a plan of general union of His Majtys Northern Colonies, for their common defence, can be perfected.

You will carefully conferr, or correspond as you shall have opportunities upon every thing relative to the present service, with the said General; Sir Willm Pepperell and Govr Shirley, or either of them; and as it is the King's intention to give all proper encouragement to such persons, who shall engage to serve upon this occasion, you will acquaint all such persons, in the King's name that they will receive arms and cloathing from hence, and that they shall be sent back if desired to their respective habitations, when the service in America shall be over.

As the several Governors, in all the King's provinces and Colonies in North America, will receive by this conveyance a letter to the same effect with this, which I now send you, they will be prepared at the same time, to obey His Majtys commands; and I am to direct you to correspond with all, or either of them, occasionally, as you shall find it expedient for the General service.

I am ettc.

T Robinson

Representation to the King on the Proceedings of the Congress at Albany.

[Plantations General, (B. T.) XLIII., 402.]

To the King's Most Excellent Majesty.

May it please Your Majesty.

We have lately received a letter from James Delancey Esqr Lieutenant Governor of Your Majesty's Province of New York, transmitting to us the proceedings of the Commissioners of

the Colonies of New York, New Hampshire, Massachusets Bay, Connecticut, Rhode Island, Maryland, & Pennsylvania, assembled at Albany in June last, pursuant to Your Majesty's orders, to renew and confirm the ancient Covenant Chain or Treaties of Friendship & Alliance between Your Majesty's subjects and the Six Nations or Tribes of Indians; and the said Commissioners having taken into their consideration several other matters of the greatest consequence to the Security and welfare of all Your Majesty's Colonies in North America, we think it our duty humbly to lay the whole of their transactions before Your Majesty.

The chief points (besides that of the Treaty with the Indians) which the Commissioners had under their consideration at this meeting, were,—

1. The management and direction of Indian Affairs.
2. The strengthening the Frontiers: and
3 The providing for these services by a general plan of Union of the Colonies for their mutual defence and security.

With respect to the last of these points, the Commissioners having agreed upon a plan of Union, which, as far as their sense and opinion of it goes, is complete in itself, we shall not presume to make any observations upon it, but transmit it simply for Your Majesty's consideration; but as they have delayed making any provisions for, or pointing out any measures of carrying the two first of these points into execution, till the Plan of Union agreed upon by them shall have been considered by their respective Assemblies and afterwards offered to the consideration of Parliament, and as such delay may prove not only prejudicial but fatal to Your Majesty's interest and the security of the Colonies, if Indian Affairs should continue in the mean time to be mismanaged, as the Commissioners declare they now are, and if it should be neglected to build some forts upon the frontiers within the territory of the Six Nations, which the Commissioners are of opinion is, in the present situation of affairs, of indispensable necessity: we cannot but esteem it our duty to lay our thoughts upon these two points more fully before Your Majesty, and to submit whether some provisional measure for their execution should not be directed as to Your Majesty shall seem most expedient for preventing the fatal effects of such delay, in the present critical situation of affairs.

The management of Indian Affairs and strengthening the Frontiers are, in general points, of the utmost consequence to the very being and preservation of Your Majesties Colonies. In this light they are considered by the Commissioners met at Albany, and are the chief objects of the Union they propose. It is their unanimous opinion that the administration of these services should not for the future be intrusted to the Commissioners, nor even to the Assemblies of any one Province, whereby they may be directed to their own particular local purposes, but that they should be under one general Administration directed to the general interest and supported at the general expence of the whole; and this being their sense of the utility and importance of these two points, the danger of any neglect or delay in their execution is obvious and apparent. For it is hardly to be supposed that any one Province will, after such a Declaration, effectually undertake at its own particular charge the execution of these measures, however fatal a neglect of them may prove to the general interest of the whole or even it's own particular security.

The management of Indian Affairs, at least those of the Six Nations, who are the best allies and form the strongest barrier to the British Settlements, has been hitherto chiefly intrusted to the Province of New York, the Assemblies of which have taken upon themselves, by Acts of their own, the sole direction of this service, and have established such regulations with

respect to the trade as they have thought proper; the execution of which and the distribution and application of the Presents voted by them, have been intrusted to Commissioners appointed by such Acts. How well soever these regulations may have been intended, we cannot take upon us to say that they have been either properly adapted to the general interest and convenience of the Indians, or to the preservation of our friendship with them; and we have reason to fear that the intrusting the sole execution of them to Commissioners without restraining them from being traders, or establishing a proper mode of enquiry into their conduct, has been attended with great prejudice to Your Majesty's service. We find frequent complaints of the Indians that they have been dispossessed of their lands by fraudulent conveyances, and without a valuable consideration; that they have been cheated of their presents by the knavery of the traders before they could leave Albany, which had usually been the place for all Indian Conferences; that their people have been debauched and destroyed by the infamous practice of supplying them with rum, of their fondness for which the traders do usually avail themselves to carry their fraudulent views into execution.

That all conferences with them have been held at Albany, more for the sake of the private interest and convenience of the traders than theirs.

That occasional or particular conferences or interviews are seldom or ever held with them, however the exigency of affairs may require it; that little or no provision is made for the residence of Smiths or other artificers amongst them at their own Castles, or for smaller occasional presents as their circumstances may require at the trading-house at Oswego — reproaching the Managers with the opposite conduct of the French in these particulars, and complaining of the dangerous influence they have thereby gained over their young and unexperienced people. All which we believe to be true, being informed that such occasional presents interviews and residence of artificers, produce much greater effects, than presents of almost any extent made at general conferences.

The constant repetition of these complaints at almost every conference, and particularly at the last, at which those relative to their lands and the neglect of particular interviews, were urged with uncommon warmth, as well as the explicit declaration of the Commissioners in their representation of their sense of the mismanagement which has subsisted in most of the above particulars, seem to us equally to prove the necessity of an alteration in this management, as the dangerous consequences which may ensue, if such alteration is not more speedily made than the proposed delay, till a plan of Union is settled, admits of.

With respect to strengthening the Frontiers, it appears from the proceedings of the Commissioners that a proposition was made on the part of New York for two Forts to be built, one at Onondage, the other at Tierondequat on the Lake Ontario, and three Forts upon the other frontiers towards Lake Champlain & Lake S^{t} Sacrament; that this general measure was approved of by the Commissioners with the addition of a Naval establishment upon the Lake to secure the navigation. That the expediency of this measure was further confirmed by the complaints made by the Six Nations of the nakedness of our frontiers, together with the reverse picture which they drew of the French strength and the effects of that strength upon them.

The utility and necessity of this measure being thus established by the concurrent sense of all parties concerned, the danger which may attend a delay in the execution of it, until a Plan of Union can be settled and approved of, seems equally obvious upon this general view, with that which we have already stated as likely to attend a delay in the execution of proper measures for the management of Indian Affairs; and we humbly beg leave to submit to Your

Majesty some considerations, which may serve to set the expediency of this measure in a clear light.

While the Six Nations were possessed of all that territory which surrounds the two great Lakes of Erie and Ontario, which they used as their hunting grounds, and before the French had erected Forts which intercept their passage to part of those lands and cut off their communication with the far Western Indians, their alliance alone & submission to the British Government formed a sufficient barrier to Your Majesty's Colonies in the northern part of America; and for that reason forts were not then judged necessary, or at least only for the purposes of carrying on trade; but since the French have erected their forts at Niagara, by which they have not only cut off the passage of the Six Nations to their hunting grounds, but have acquired the greatest influence over the Senecas, one of the most powerful of those nations within whose territory those forts are built, unless measures of the same nature are pursued on the part of Great Britain, those Nations must in a very short time become dependent upon the French, and instead of a barrier, be made subservient to their encroachments upon the British Colonies.

The Colony of New York has long foreseen these consequences, and has from time to time projected the building forts, both at Niagara and Tierondequat; which last place, extremely well situated for a port and proper for commanding the navigation of the Lake, was purchased long since by that Province with this view.

They have always however been averse to taking upon themselves the expence which would have attended an effectual execution of these measures, & there is the less reason to believe they will do it now, as it has been the declared sense of the Commissioners that this is a measure of general utility, & that the expence of it ought to be borne at the general charge.

Upon the whole therefore, if Your Majesty should be of opinion that effectual measures should be immediately entered into for putting Indian Affairs under a provisional direction and securing the Frontiers by erecting forts and building vessels upon the Lakes without waiting until a plan of Union can be settled, by which a proper provision may be made for these services at the general expence of the Colonies; we would humbly submit whether it might not be adviseable that an Instruction should be immediately sent to the Lieutenant Governor of New York to inquire into and give effectual satisfaction to the Indians in respect to the Complaint they have made concerning their lands, and that Colonel Johnson should be appointed Colonel over the Six Nations, in the same manner and with the same allowance as when the expedition against Canada was in agitation in the last war; that he should be intrusted with the disposition and application of all occasional presents Your Majesty may think proper to make to these Indians, with the nomination and appointment of all such smiths and other artificers as may be thought proper to be settled amongst them, and in general the direction of all other services not already provided for by the laws of New York

The reasons of our taking the liberty to recommend this Gentleman to Your Majesty are the representations which have been made to us of the great service he did during the late war, in preserving the friendship of the Indians and engaging them to take up the hatchet against the French; the connexions he has formed by living amongst them, and habituating himself to their manners and customs; the publick testimony they have given at the last meeting of their friendship for, and confidence in, him; and above all the request they make that the sole management of their affairs may be intrusted to him.

With regard to securing the Frontiers, we cannot take upon us to say, whether all or what part of the forts proposed by New York may be immediately necessary; but we think, for the reasons we have already given, that one at least should be erected at Tirondequat; that the harbour there should be fortified and that armed vessels, superior in strength and number to those the French may have upon the Lake be forthwith built, to command the navigation and secure to us a free and open communication and correspondence with the Indians.

All which is most humbly sebmitted.

DUNK HALIFAX
J. GRENVILLE
T. PELHAM
ANDREW STONE.
JAMES OSWALD.

Whitehall
Oct^{r} 29. 1754

Secret Instructions to General Braddock.

GEORGE R.

Secret Instructions for Our Trusty and Welbeloved Edward Braddock Esq^{re} Major General of Our forces, and whom we have appointed General and Commander, of all and singular Troops and Forces, that are now in North America, and that shall be sent, or raised there, to vindicate Our just rights, and possessions, in those parts. Given at Our Court at S^{t} James's the 25th day of Nov^{r} 1754. in the 28th year of Our Reign.

1st WHEREAS the French will, in all probability, endeavour to reinforce the several Posts, they now have on the River Ohio, and on the Lakes to the Westward of it, by sending Troops up the River Mississipi; it is our Royal will and pleasure, that, as the season will allow Our Troops to take the field much sooner, in the Southern parts, than in any other parts of our Colonies, you shall begin your operations there as soon at the weather will permitt; You will therefore, order the Troops to be carried up the Potomac River, as high as Wills's Creek, where we have ordered Sir John S^{t} Clair Our Deputy Quarter Master General, to erect a proper covering, and to provide Magazines, and, also, to prepare a Park for the Amunition and artillery, which may be necessary upon this first part of your expedition; and we have likewise given directions to Our said Deputy Quarter Master General, to provide the proper conveniences for a General Hospital at Hampton, and for a flying Hospital at the Creek beforementioned.

2nd—As soon as you shall have been able to drive the French from their Posts upon the Ohio, you will take the proper measures for erecting a good and sufficient Fort, on the most convenient pass, upon the said River, and you will leave a strong garrison consisting of the three Independent Companies now in Virginia, sustained by such a part, or the whole of the Provincial Troops, as you shall find necessary, to defend the same, & to protect the Indians, in those parts, as well as our settlements, which have lately been broke up.

3rd The next service, which is of the greatest importance, and therefore demands the utmost care, and attention, is, the dislodging the French from the Forts, they now have at the Falls

and passes of the Niagara; and the erecting such a Fort there, as shall, for the future, make His Majᵗʸ's subjects masters of the Lake Ontario; by that means, cutting off the communication between the French Forces on the Mississipi. It is Our pleasure, that if, for this purpose, you should think it necessary to have ships upon the said Lake Ontario, you shall concert with the Commander in Chief of Our Ships, and the Governors of New England and New York, the manner and means of Building and manning such vessels, as shall be most proper for that service.

4ᵗʰ It is our further will and pleasure, that, in order to accelerate the execution of so salutary an undertaking, you shall, in case the Regiments intended to be raised by Govʳ Shirley, and Sir William Pepperell, shall be ready to act, before the French can be drove from their posts upon the Ohio, employ the said two Regiments, in the immediate Reduction of Niagara, and Crown point; and nominate a proper person, or persons, to take the command thereof, in case you shall find your presence elsewhere more conducive to the general service.

5ᵗʰ In case the said two Regiments of Shirley and Pepperell, shall not be raised, and ready to act, till the time that the service, on the Ohio, shall be finished; it is Our will and pleasure, that, if, then, you should find it necessary to march your whole force to make yourself master of the Posts before-mentioned, at Niagara, you shall take the most prudent means of joining your said Force, with the British Battalions, to effect this most necessary and essential service; and when you shall have performed it, you are hereby authorized, and empowered, to leave the remaining Independent Companies, and such other reinforcements, as you shall judge necessary, to be a sufficient garrison for the Fort and Forts, you shall erect there.

6ᵗʰ If you should find, that the two British Regiments will be sufficient for performing the service at Niagara, you may, then, employ the two American Regiments, at the same time, in dispossessing the French from their Post at *Crown Point*, on the Lake *Chamblois*, which is the next point you will endeavour to gain; But no positive instructions can be given you, upon this head, as you can only judge, hereafter, whether such a seperate operation can be undertaken, at the same time, that you are making yourself Master of that most material one, at Niagara. However after you shall have possessed yourself of the Niagara Forts, and shall have opened a safe communication betwixt that, and Oswego (which will not only secure the Back settlements, but likewise, bring back those Indians, who have fallen off from Our interest, and joined the French;) It is our will and pleasure, that the next service upon which you shall proceed, shall be:

7ᵗʰ The reducing the Fort at Crown Point, and erecting another upon the Lake *Chamblois*, in such place as you shall find most effectual for bridling the French Indians in those parts and for securing and protecting, our neighbouring Colonies.

8ᵗʰ The last and most material service, that you shall perform, shall be the destroying the French Fort at *Beausejour*, and, by that means, recovering our province of Nova Scotia; but on this point, we do not give you any positive Instructions, only, that you shall correspond constantly with Lieutenant Colˡ Lawrence, who has the command of Our forces in that province; and if, whilst the service of Niagara, or Crown Point is going on (which must necessarily divide the French Forces), Lieut, Colˡ Lawrence can, with a moral certainly, undertake the reducing that Fort, with our Forces, which are now there, or by an addition of Four or Five Hundred of the Provincial Forces, and that you can spare such numbers; it would be gaining much time in finishing the operations; but, if you should not find it advisable for Lieutᵗ Colˡ Lawrence to undertake that service, in the manner before-mentioned,

but that it should still require a greater force, you will then proceed, after having finished the reduction of Crown Point, and fixing a proper Fort there, with part, or all of our Forces to Nova Scotia, and there make yourself thoroughly master of Beausejour, and by that means, of the whole province.

9th The two Companies of Artillery in Newfoundland and Nova Scotia, will afford you a sufficient supply of Artillery Officers and Gunners, for any of the services above-mentioned, and the Commander of Our ships of war, have orders to give all the assistance possible in their way.

10th You will carefully provide Winter Quarters for all the troops under your command, according to the best of your judgement and discretion.

11th With regard to any prisoners, that shall be made by the Forces under your command during this expedition; it is Our will and pleasure, that you should cause all such prisoners to be sent to Old France.

G. R.

Lieutenant-Governor De Lancey to Sir Thomas Robinson.

[S. P. O. Governors' Letters, XLVIII.]

New York 15. Decr 1754.

Sir

Upon serious consideration of what the French Indians have done, no doubt at the instigation of the French (of which I lately gave you an account) and of what may be further suspected from that quarter; I think it my duty to lay before you the defenceless state of the Northern frontiers of this Province, and to point out some measures which seem to me of general utility. From Albany northwards towards Canada there is no fort; we had one before and in the late war at a place on Hudsons River called Saraghtogo about 36 miles above Albany, which was abandoned and destroyed, so that the country lies entirely open; and as the French have always had a design on this Province as being most conveniently situated for them and if in their hands would cutt off all communication between His Majesty's subjects & the Six Nations of Indians, to the infinite prejudice of all the Northern Colonies, and as there is not above twenty two miles land carriage between Crown Point and through this Province to the Ocean, I apprehend we are in great danger, and that the French if they are disappointed in other parts will bend their whole force against this country, which is unable with it's own strength to defend itself against them. In order therefore to prevent or defeat such an attempt I would humbly propose that His Majesty be graciously pleased to order a Regiment into this Province and to direct the several Governors of New Jersey, New York, Connecticut, Rhode Island, Massachusett's Bay and New Hampshire to use their utmost endevors to bring their Assemblies to furnish their quotas towards building the several forts following (the Forts to be garrisoned by the King's troops but victualled by the Provinces) One on the Wood Creek and one on the south end of the Lake St Sacrament; the waters of this Creek and Lake pass Crown Point and fall into the Lake Champlain and so into the River St Laurence and make the common passage between this country and Montreal, and from this Creek and Lake the French and

their Indians can and do enter this Province, Massachusett's Bay and New Hampshire;—Jersey, Connecticut and Rhode Island are covered by New York and Massachusetts Bay. There are many reasons why these Forts should be built. 1st because when His Majesty's arms are employed on the Ohio, Beeve River and the Presk Ile or peninsula on the Lake Erie, the French will probably make a strong push on the Northern parts of this country, as being most defenceless, to cause a diversion this way, which these Forts may prevent. Secondly, because if there should be a design against Crown Point or even Montreal when occasions offer, these Forts will be well scituated to favour and facilitate such a design, being placed at the head of those waters which lead to Crown Point. Thirdly it is necessary they should be built to assert His Majesty's right to the lands there; for by what I can conjecture it seems to me from the motions of the French, that they will lay claim to the heads of all the waters that empty themselves into the Rivers St Laurence and the Missisipi, and if they carry these claims into execution, they will prove very detrimental and dangerous to the British Colonies in North America. The other Forts I would propose are,—one in the Onondages country, being the place where the General Councils of the Six Nations are held; a proper officer posted here and made a Sachem by the Governor of the Province (the Governors of New York exercise this right) would have a seat in their Councils and with proper management might have a considerable influence in their deliberations The other Fort I propose to be built at a place called Tiorondequat in the Senekas country on the lake Ontario, about 80 miles westward of His Majesty's Fort at Oswego, and near the same distance from the French fort at the great Fall of Niagara. At Tiorondequat there is very good land, and a settlement migbt soon be made under the protection of this fort. Here the Senekas river falls into the Lake Ontario or Catraqui. By this fort and settlement, and the trade carried on with the Senekas so near their habitations, we might soon gain the affections of these Indians, who are the most numerous of the Six Nations, and from hence we might in a little time be in a condition to dislodge the French from Niagara, a fort they have built without all question within His Majesty's territories being in the country of the Senekas, one of the five Cantons of Indians acknowledged by the treaty of Utrecht to be subject to the dominion of Great Britain. Niagara is a remarkable and important pass between the Lakes Ontario and Erie, which the French forces use in their way from Montreal to the Ohio; so that if we should become masters of it, there would be an end of their encroachments in that quarter, as they would then be obliged to take so large a circuit and attended with such difficulties, as would render the marching a body of men to the Ohio in a manner impracticable. The advantages arising from these forts would be very considerable, as they would encourage those Indians who are well affected to us, fix the wavery, and be a restraint and check on those who are inclined to the French. Add to this, if the Fort at Oswego standing at the mouth of the River where it empties itself into the Lake Ontario, were enlarged and strongly garrisoned, the French might be deprived of all intercourse with the Onondaga and Oneyda Indians; for one branch of that River comes from Onondaga and the other from the Oneida country, and after their confluence pass under the Fort at Oswego. If these things be done I am persuaded the Six Nations will readily join us in any enterprize against the French and we should soon be an overmatch for them & prevent them from drawing off so many of our Indians as they continually do; for which purpose they spare no arts nor money.

I had last month the honor of your letter of the 5th July acquainting me with His Majesty's surprize that the Companies within this government were found in so bad a condition. This

was what I could not immediately remedy and was owing to too great an indulgence before the administration devolved upon me. The two Companies sent to Virginia were as compleat as they could possibly be made in the short time before they were embarked. I ordered the Officers of the two other companies remaining here, to spare all the men they could excepting the twenty five men who were before ordered to reinforce the garrison at Oswego, which I looked upon to be in imminent danger from the numbers of French who pass in sight of that Fort in their way to the Ohio. These men were sent thither by my orders with three additional pieces of cannon powder and ball, and I am still apprehensive whenever the French meet with a repulse on the Ohio (which from the assistance of money sent by His Majesty to Virginia will I hope be effected next spring) they will in their return endeavor to take their revenge in Oswego. I have had the fort repaired and done all in my power for its security. The two Companies are now disposed in this manner:—At Oswego 50 men under the command of L^{t} Holland; at Fort Hunter, in the Mohawk's country, 25 under L^{t} Roseboom; at the Fort in the town of Schenectady 25 under L^{t} Mills; to take care of the Fort in this City an old serjeant and thirteen invalids, and the rest with their Officers are at Albany; and I have given strict orders to have the Companies kept complete and the men duly trained and exercised, that they may be fit for service.

I have made use of your letter and the copy of that to Governor Shirley to stir up the Assembly to exert themselves in such a manner as might merit His Majesty's most gracious approbation. All I could obtain was a vote to repay me for the expence of erecting a Fort on some part of Hudsons River to the Northward of the City of Albany when the amount thereof shall be known, provided it exceed not the sum of six hundred pounds: so that I must advance or engage myself for this sum, which I shall readily do, being for the security of the Country, though it is a great hardship on me, as I have already advanced considerably, and have laid out since I came to the government fifteen hundred pounds above my own income, and have had no salary, owing to the Assembly's unwillingness to provide for the support of government in the manner prescribed by His Majesty's instructions. They will make no other than an annual provision.

When I had gone thus far and was ready to close my letter to go by a vessell that sails tomorrow, I had the inexpressible pleasure of yours of the 26th of October, in answer to which I can now only express my most humble and hearty acknowledgements to His most gracious Majesty for his paternal care of us and the regard he has shewn for the security and welfare of his faithful subjects in these parts; and do assure you that I will exert myself to the utmost of my power that His Majesty's command be punctually obeyed. I am

Sir

Your most obedient and most
humble Servant
JAMES DE LANCEY.

The Right Hon^{ble} Sir Thomas Robinson

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 40.]

My Lords,

I had the honour of your Lord^{pps} letter of the 5th of July last, and am fully acquainted with your Lord^{pps} sentiments on Indian Affairs; that the preserving and securing the Friendship of the Six Nations of Indians is in the present situation of Affairs an object of the greatest importance, and that nothing can be added to the weight of your Lord^{pps} observations on that head. The only method I conceive to attain this salutary end, is by building Forts to cover them against the insults of the French and their Indians. I shall therefore beg your Lordships patience while I lay my thoughts before you, tho' you will find a repetition of several things which I have formerly mentioned.

The French have all along had a design upon this province, as being most conveniently situated for them, and, if in their hands, would cutt off all communication between his Majesty's subjects and the Six Nations, to the infinite prejudice of all the Northern Colonies; hence I apprehend we are in great danger, and that the French will upon the first opportunity, bend their whole force against this Province, which is unable, with its own strength only, to defend itself against them.

In order therefore to prevent or defeat such an attempt, I would humbly propose that His Maj^{ty} be pleased to order a Regiment into this Province, and to direct the Governours of N. Jersey, New York, Connecticut, Rhode Island, Massachusets Bay, and New Hampshire to use their utmost endeavours to bring their Assemblies to furnish their respective Quotas, towards building the several Forts following, to be garrisoned by the King's Troops but victualled by the Provinces.

One on the Wood Creek, which is about twelve miles from Hudson's River, and

One at the South end of the lake S^{t} Sacrament; about twenty miles from that River.

The Waters of this Creek and Lake, after their junction, pass Crown Point, and fall into the Lake Champlain, and so run into S^{t} Lawrence River, and make the common passage between this Country and Montreal; and it is from this Creek and Lake that the French can and do enter this Province, Massachusets Bay and New Hampshire—New Jersey Connecticut and Rhode Island, are covered by New York and Massachusets Bay.

There are many reasons why these Forts should be built:

1st They will be a security to the Mohawk Indians and to the Mohawks Country, as the French will not be able to pass, towards them without a discovery.

2^{dly} When His Maj$^{ty's}$ arms are employed on the Ohio, Beeve River, and the Peninsula on the Lake Erie, the French will probably make a strong push on the northern parts of this Prov^{ce} as being most defenceless, to cause a diversion this way, which, these Forts may prevent or obstruct.

3^{dly} If there should be a design against Crown Point, or even Montreal, these Forts will be well situated to favor and facilitate such an enterprize, being placed at the head of the waters which lead thither.

4^{thly} It is necessary they should be built to assert His Maj$^{ty's}$ Right to the lands there, for by what I can conjecture from the motions of the French, they will lay claim to the heads of all the Waters that empty themselves into the Rivers S^{t} Lawrence and Missisippi; and if they carry

these claims into Execution, they will prove very detrimental and dangerous to the British Colonies in North America.

The other Forts I would propose are:

One in the Onondaga Country, being the place where the General Councils of the Six Nations are held; a proper Officer posted here, and made a Sachem by the Gov^{r} of New York, (who exercises this Right) would have a seat in their Councils, and, with proper management, might have a considerable influence in their deliberations. and

The other Fort to be built at a place called Tierondequat, in the Seneca's Country, on the Lake Ontario, about 80 miles westward of His Maj$^{ty's}$ Fort at Oswego, and nearly the same distance from the French Fort at the great fall of Niagara.—At Tierondequat there is very good land, and a settlement might soon be made under the protection of this Fort, if the lands were granted without rent for a few years, and afterwards at a small quit Rent, and the Officers to pass the grants without Fees. Here the Sen[e]ca River falls into the lake Ontario. By means of this Fort and settlement, and the Trade, which, in consequence, would be carried on with the Senecas so near their own habitations, we might soon gain an ascendant over them, & fix the affections of these Indians, who are the most numerous of the Six Nations, and from hence we might in a little time be in a condition to dislodge the French from Niagara, a Fort, they have built, without all question within His Maj$^{ty's}$ territories, being in the Country of the Senecas, one of the Five Cantons of Indians acknowledged by the Treaty of Utrecht to be subject to the dominion of Great Brittain. Niagara is a remarkable and important Pass between the Lakes Ontario and Erie, which the French forces use in their way from Montreal to the Ohio; so that if we become Masters of it, there would be an end of their encroachments on that quarter, as they would then be obliged to take so large a circuit, attended with such difficulties, as would render the marching a body of Men to the Ohio with their provisions ettc in a manner impracticable, and the gaining this pass would open a large Trade with the Indians, of which the French at present reap the sole benefit.

The advantages arising from these Forts would be very considerable: They would encourage those Indians who are well affected to us, fix the wavering, and be a curb on those who are inclined to the French; so that they would be ours, by choice or necessity. Add to this, if the Fort at Oswego standing at the mouth of the River, were enlarged and strongly garrisoned, the French might be deprived of all intercourse with the Onondaga and Oneida Indians, for one branch of that River comes from Onondaga, and the other from the Onejda Country, and after their confluence pass under the Fort at Oswego into the Lake Ontario.

Were these things effected, I am perswaded the Six Nations would readily join us in any enterprize against the French; and as they have very large Alliances, we should soon be an overmatch for the French, and prevent them from drawing off so many of our Indians as they continually do, for which purpose they spare no Arts or Expence.

A general Union of the Colonies becomes every day more necessary, and the necessity more visible; for in the present disjointed way in which the Colonies act, and some will not act at all, nothing is or can be done to answer effectually the good purposes of defeating the French Plan to render themselves Masters of these Countries, and to ingross all the Indian Trade. I have sent your Lord^{pps} the general plan of an Union concerted at the Congress at Albany. It was then the general opinion that the Colonies would differ in their measures, and disagree about their Quotas, so that it appeared necessary to have the interposition of the British Parliament to oblige the Colonies; and I think it will not be done otherwise.

I should be glad if the observations I have made on the disputes between New York and New Jersey can be of any service; His Majesty is greatly concerned in that controversy, and I am surprised, that the construction I put on the Duke of York's grant of Jersey, had not been taken notice of before, since it appears so very obvious. I hope a temporary line of Jurisdiction will soon be settled by His Majesty's authority, that so the Mischief which is justly apprehended from the heat and violence of the Jersey Proprietors may be prevented. I inclose your Lord^{pps} a printed copy of the Report of the Council on the Steps taken by the Jersey Proprietors, to whom I had referred the consideration of those matters and your Lord^{pps} will find in pages 20 and 21. of the printed proceedings of the Assembly, the Report of a Committee of that house on the Jersey line, and in page 37. the Message of the house to me on that subject, which seem to me to evince the necessity of the speedy settlement of a temporary line; and from these papers it will appear, that both, the Council and Assembly advise me to exercise the Jurisdiction of this Govern^{t} up to the supposed line of the year 1686, which I shall endeavour to do in the best manner I can, yet so as to avoid if possible any mischief.

By an Act of this Colony passed so long ago as the 13th of William the 3rd, it is enacted that Waghachemack,[1] and great and little Minisink should be annexed to the County of Ulster, and that the Inhabitants thereof should give their votes for Representatives in the County of Ulster; so that it evidently appears that these places were setled above fifty years ago under this Province; and can anything be more unreasonable than that the Proprietors of Jersey should remove these ancient settlers upon a bare claim, and before any proof of right. This Act 13. Will^{m} 3^{d} is entituled: "An Act for the more regular proceedings in the Elections of "representatives for the several cities and Counties within this Province" and was not made with a view to any dispute with the Jerseys, but on disputes which had arisen between the County of Orange, which lies next to Jersey, and the County of Ulster which lies to the Northward of Orange. Your Lord^{pps} will see the readiness of this Province to come to a final Decision of the Controversy by the Act enclosed.

I have given Your Lord^{pps} an account that upon my calling the Assembly together, and having pressed them to give their Assistance to Virginia towards enabling them to repel the French from the Ohio, they granted the sum of £5000. which I sent by Capt^{n} Legge, and came safely to the hands of M^{r} Dinwiddie; They then in consideration of the season desired a short Recess, which I granted them. At their next meeting, having received your Lord^{pps} letter of the 5th of July 1754. I used my endeavours with them to come into a method of supporting the Govern^{t} agreable to his Majesty's Instructions, by urging the arguments in your Lord^{pps} letter to shew the unreasonableness of an annual support, and its natural tendency to draw the Officers of the Crown into a dependance on the Assembly; in answer to which they assure me in the most solemn manner, that they have not the least thought or inclination to invade or incroach on any of His Maj$^{ty's}$ just and rightful prerogatives, or to endeavour to wrest out of his Royall Hands, any part of the executive powers of Govern^{t}, by the nomination and appointment of Officers, or in any other respect whatsoever (*p* 52 of their proceedings). Here is a formal disclaimer, of some of their former proceedings; which may be at any time hereafter objected to them, if they should again renew their old pretensions; but they would not depart from the annual support, and sent up to the Council two Bills, one, for paying and

[1] The Patent of Waghaghkemick was granted to Thomas Swartwout and others in 1697. It lies on the Neversink River in Orange county, N. Y. — Ed.

discharging several debts due from the Colony to the persons therein mentioned, and the other for the payment of the Salaries and services therein mentioned to the first day of Sept^{r} 1755, which still remain before the Council, copies of which are now sent to your Lord^{pps}. The difference between this and former Bills for payment of debts is that the Assembly before, used to make the money payable upon receit, which is now left to be drawn out by Warrant.

The Assembly's persisting so obstinately in their resolution of supporting the Govern^{t} only from year to year, lays me under great difficulties. I have been and am at a very great expence, and all this while, without salary, and how I shall extricate myself I know not, unless Your Lord^{pps} will be pleased to think of some method to relieve me from them, by recommending my case to His Maj^{ty}, or otherwise as may be most proper.

In consideration of the wretched and ruinous condition of the Fortifications, and the defenceless state of the province, I offered to the Assembly to give my assent to an Act for striking Paper money, for putting the province in a posture of defence, and securing the Indians in their fidelity to His Majesty, if they would frame the Bill comfortable[1] to the directions I received from your Lord^{pps}; their answer to this proposal will be found in their address to me, pages. 52, 53. of the printed votes. This address was presented to me by the whole house, and I answered it as in pages 58. 59. upon which they, the next day came to the resolutions in pages 60. 61.; so that I am My Lords in the greatest perplexity imaginable, not knowing how to act in this critical situation of Affairs.

I must not omit to inform your Lord^{pps} that upon my sending the Message which is in page 45 to the Assembly, with an extract of a letter of the 5th of July from Sir Thomas Robinson, recommending to them to enable me to build a Fort on Hudson's River, for the defence of the Northern Frontier; they desire me to take order for erecting such Forts, and engage to devise some meanes for defraying the expence in general, and afterwards page 61. limit it to the sum of £600. which, tho' a small sum in itself, yet is too much to come out of pockets already well emptied, for I must either advance or engage my credit for this sum, or the work must be left undone.

M^{r} Kennedy His Maj^{tys} Receiver General, delivered me a memorial setting forth the difficulties in collecting the Quit Rents, and pointing out a method for the more easy and speedy recovery of the same, a Copy of which I ordered to be laid before the Council & Assembly, and a Bill was brought in for that purpose, but was not so far completed as to be passed the Council, but will I suppose be taken up at the next meeting, and then finished and passed, by which means the collection of His Majesty's rents will be greatly facilitated, and the Revenue regularly gathered in. I send the Naval Officer's Accounts as he has delivered them to me. The Treasurer has not yet sent me his in, but I believe your Lord^{pps} will have a more distinct knowledge of the publick accounts from the State that is published in the votes of the Assembly, than from any of the Treasurers own drawing. The accounts were examined and stated by the Representatives of the City of New York, who are by a former Act appointed Commissioners for this purpose, and are good accountants, and had the sight and perusal of the Treasurer's Books.

I have now given my assent to twelve Acts, (which are put up in a Box addressed to your Lord^{pps}) with one passed at the former meeting, and the Minutes of Council from the 28th May to the 18th December 1754, and the Journal of the Council's proceedings in the present Session.

Only two of the Acts require any thing to be said on them.

[1] *Sic.* conformable — Ed.

The Act: "to prevent malicious informations in the supreme Court of Judicature for the Colony of New York" is framed from an Act passed in the 4 and 5 years of William and Mary; only instead of excepting informations by His Majesty's Attorney General; in this to preserve the King's Prerogative, there is a proviso, that it shall not extend to informations exhibited by order of the Gov^{r} in Council, or by order of the supreme Court. Attorney Generals in this Province have frequently filed information upon trifling grounds, at the desire of contentious persons, which upon Tryal had appeared to be vexatious & frivolous. This gave occasion to the Act—I sent before the Bill came up to me, to M^{r} Kempe His Maj$^{ty's}$ Attorney General, to know if he had any thing to object to the Bill, he sent answer by his son, that he would apply home against it.

The other Act is "to empower Justices of the peace to try causes from forty shillings to five pounds"—The Justices by a former law had power to try causes as far as forty shillings. This gives them a larger power, and tho' they generally are persons not well qualified for such a trust, yet, as the Act provides that either party may demand a Jury to try the cause before the Justices; I apprehend there can not be any very great inconvenience in the Act, as it is to continue but for three years.

I am My Lords
Your Lord^{pps}
most obedient and most
humble servant.

15 Dec^{r} 1754. JAMES DE LANCEY.

Minutes of the attendance of the Agent of New-York on the Board of Trade.

[Board of Trade Journal, No. 62.]

Thursday, December 19. 1754.

Earl of Halifax	M^{r} Pitt.
R^{t} Hon: Horatio Walpole.	M^{r} Oswald.

The Board being informed that M^{r} Charles, Agent for the Province of New York was attending without, and had a motion to make to the Board, he was called in, and moved their Lordships that he might be informed of what Resolutions their Lordships had taken upon the Representation of the Assembly of New York, relative to the 39th Article of the late Governor's Instructions—Whereupon their Lordships observed to M^{r} Charles, that they were but two parts of the Representation upon which it appeared to them to be necessary to come to any Resolution, or to which any answer could properly be given; viz^{t} that part in which the Assembly submit to the consideration of this Board whether they have been guilty of any disloyalty or disaffection to His Majesty, and that part in which they desire the mediation of the Board with His Majesty, that this Instruction may be withdrawn.—That with respect to the first, it never was the intention of this Board to charge the Assembly of New York with personal disloyalty or disaffection to His Majesty, and that it did not appear to them that any

such charge is contained in that Instruction.—That as to the second point the Board had wrote their sentiments fully upon that instruction to the Lieut Governor, and should not fail of Making a proper Representation to His Majesty, whenever it should appear to them to be necessary for His Majesty's service, or when a New Governor should be appointed.

Governor Shirley to Secretary Robinson.

[S. P. O. Governor's Letters, LXVIII.]

Boston New England, Decem^{r} 24th 1754.

Sir

I suppose Gov. Delancey may have sent you a copy of the proceedings of the Comm^{rs} of several of His Majesty's Governments upon this Continent lately assembled at Albany in the Province of New York; least that, by any accident should have miscarry'd, I inclose you one here.

That meeting, Sir, gave the Colonies concern'd a fair opportunity of agreeing by their respective Comm^{rs} in a conclusive manner upon Articles of Union and Confederation for the general defence of His Majestys subjects and interests in North America as well in time of peace as of war; and it is most evident that their present state requires such an Union to be form'd as soon as is possible, in order to put an immediate stop to the encroachm^{ts} with w^{ch} the French have, ever since the conclusion of the late treaty at Aix la Chapelle, been and still are surrounding them and to prevent the total defection of all the Indians, not already gain'd over by that nation from the British interest.

The Commissioners of the Massachusetts Province were accordingly furnished with plenary powers for agreeing conclusively on the part of that government with the Commissioners of all or any of the other governments who should be convened at the Congress upon the Articles of such an Union; but the powers produced by all the other Commissioners there, being defective, (as may appear to you Sir by the copies of them w^{ch} are made part of the record of their proceedings) nothing binding upon their respective governments either for building forts for the defence of the country of the Five Nations or cementing a general Union of the Colonies, could be concluded and agreed upon by them.

As to the plan of the proposed Union agreed upon by the Comm^{rs} in order to be layd before their respective constituents for their consideration, a copy of which is contain'd in their proceedings; they had no expectation that it will have any effect, nor could any proper plan be form'd, as I apprehend, in w^{ch} the several Gov^{ts} would unite; their different constitutions, situations, circumstances and tempers, will ever be found an invincible obstacle to their agreement upon any one plan in every article, or (if they ever should happen to agree upon one) to their duly carrying it into execution.

It appears from that part of the proposed plan fram'd at Albany, w^{ch} provides that it shall be established by Act of Parliam^{t}, that the opinion of the Comm^{rs} there present was that nothing under the force of that would effect such an Union, and what seems to give weight to their opinion is, that the Crown's recommendation of the Union proposed in King William's

reign among several of the Colonies for their mutual defence, and the quotas of men and money allotted to each governm^{t} to pay, never had the least effect as I can learn.

However tho' the Comm^{rs} have fail'd for want of sufficient powers to perfect an Union among the Colonies at their Congress, yet they have made a great progress in concerting the proper measures for effecting one, and discovering the absolute necessity of it's being done without delay; and their several determinations upon this point seem to have pav'd the way clearly for His Majestys ordering a plan of an Union to be form'd at home, and the execution of it inforc'd here by Act of Parliament, if that shall be agreeable to his royal pleasure.

These Gentlemen, Sir, having been chosen Comm^{rs} by the General Assemblies of the several Colonies w^{ch} they represented at the Congress, tho' commission'd by the Gov^{rs} of them, must be consider'd as the most intelligent persons of their respective Governm^{ts} in the general state of the Colonies, and as having a just attention to the interest of their own Colonies in particular, in all their consultations, so that their determinations of these points (in all which they were as I am assured by the Massachusett's Comm^{rs} very near unanimous) viz^{t} 1st That a General Union of their Forces and Councils are necessary at this conjuncture for saving them from the incroachm^{ts} of the French. 2 That an effectual scheme for such an Union can't be carry'd into execution but by authority of the Parliament of Great Britain. 3. What may serve as a present rule for fixing the several proportions w^{ch} each Colony should be allotted to bear of the charges of supporting the Governm^{t} propos'd to be erected in the Plan, there estimated by the number of members allotted for each Governm^{t} to send to the General Council: I say, Sir, that their determination of these points ought to be look'd upon as the declared sense of all the Colonies; and this together with their representation of the state of the Colonies seems to have laid a good foundation for immediately proceeding at home to the forming of a proper plan in all points for a General Union of the Colonies, settling the quotas of men & money for each Colony to find towards the charge of it as stated in the plan of the Comm^{rs} to be establish'd by authority of Parliam^{t} and carry'd into execution in the Colonies without further consulting them upon any points whatever.

As to the plan of Union form'd at Albany, I would beg leave, Sir, to submit the following remarks upon it to your consideration, viz^{t}

1. That the reason of committing to the several houses of Representatives *solely* the choice of the Members which each Colony is allowed to send to the Grand Council, seems to be because it is propos'd that the Council should have power to levy taxes upon the People, w^{ch} it is thought could not be exercis'd by any Council whatsoever in the Colonies which should not be wholly chosen by the People, or at least by their Representatives, without raising a general dissatisfaction.

2. That on the other hand it is clear that as such Council can be consider'd no otherwise than as the General Representative body of all the people of the Colonies compriz'd in the Union, the giving to them a share in making peace and war with the Indians and concluding treaties with them, in the disposal of military commissions, in the power of raising troops and erecting Forts, would be a great strain upon the prerogative of the Crown and contrary to the English Constitution.

3 That the command over the Militia, power of raising them by warrant of impress, marching them upon any service at least within the limits of the several Colonies, appointing all military Officers, erecting and demolishing of Forts, declaring war against the Indians and making treaties of peace with them; are vested solely in the respective Governours of all of them,

proprietary and charter, as well as those whose Governm^{t} is founded on His Majesty's commission, except in the two Colonies of Connecticutt and Rhode Island, whose governm^{ts} stand upon their old charters, by which the Crown hath divested itself almost of the whole prerogative, and transferr'd it to the populace, in whom the several above mention'd powers are lodg'd, the Governours not having so much as a negative in any election of officers or Act of Legislature.

4 That the institution of these old Charter Gov^{ts} in the Colonies during the state of their infancy, tho' well accommodated to draw together numbers of settlers in the beginning of the English Plantations and for the regulation of each settlement whilst it consisted of but an handfull of people, yet seems by no means well calculated for the Governm^{t} of them when the inhabitants considerably increas'd in numbers and wealth. The present state of the Governm^{t} of Rhode Island is an instance of this. The Colony is computed to have upwards of inhabitants and a proportionable share of property; the reins of their Governm^{t} prove now so loose that a spirit of mobbism prevails in every part of it; they pay no regard to the Kings instruction, and very little or none to Acts of Parliament, particularly to Acts of Trade, in which they seem to look upon themselves as freebooters, as their governm^{t} was not originally calculated for preserving their dependency upon Great Britain, they have little or no appearance of it among them now, and their example hath by degrees infected His Majesty's neighbouring Governm^{ts} wth irregularities which they might not otherwise have gone into. I would be understood to speak this only of the natural tendency of their governm^{t}. Their Assembly have given proofs of a public spirit for promoting the general welfare of His Majestys Colonies agst the encroachm^{ts} of the French, and extending his dominions in America; they have a strong attachm^{t} to His Majesty's person and the Protestant Succession in his family, and likewise to the English Governm^{t} so far as it is consistent wth the spirit of riot w^{ch} reigns among them, & may be call'd rather the fault of the form of their Colony Governm^{t} then of the people; The most considerate of which are said to be much tir'd of it.

5. That the unfitness of these old Charter Governm^{ts} for the Colonies when they are grown up and come out of their infancy, was I suppose the reason why in the beginning of King William and Queen Mary's reign the governm^{t} at home refus'd to the old Massachusett's Colony to renew their Charter w^{ch} had been vacated by a judgment in the Court of Chancery in Westminster Hall in a late reign, tho' their principles and loyalty to the Crown at that time greatly recommended them to its favour; but instead of that it was thought good policy to put an end likewise to the Charter Colony of New Plymouth and to erect & incorporate the old colonies of the Massachusetts Bay and New Plymouth, together wth the Provinces of Main and Nova Scotia into one Province, which is now the present Province of the Massachusetts Bay, saving that the Crown hath disannex'd Nova Scotia from it, and to grant them a new Charter, wherein the Crown hath resum'd its prerogative; and this form of Governm^{t} was as readily accepted by the People of the old Charter Colonies, who were in a great measure surfeited of their governm^{t} and former popular privileges, then became disproportion'd to the state of the inhabitants.

The result from these observations, Sir, w^{ch} I would submit to your consideration is, that if the old Charter form of government, such as that is w^{ch} is proposed in the Albany plan of Union, is unfitt for ruling a particular Colony, it seems much more improper for establishing a General Governm^{t} and *Imperium* over all the Colonies to be comprized in the Union.

The only material difference between an old Charter Governm[t] and the Albany Plan appears to be, that by the latter it is propos'd that the Governour General shall be appointed and supported by His Majesty and have a negative in every Act of the Grand Council (as it is there called) whereas in the former the Governour is annually elected by the People, dependent upon them for his support and hath no negative in the Acts of Assembly.

This is relied upon as a most favourable circumstance on the part of the Crown in the following remarks, drawn up by a gentleman who had a principle hand in forming the Albany Plan, viz[t] "That the Government or Constitution propos'd to be form'd by the plan consists "of two branc[h]es, a President General appointed by the Crown and a Council chosen by the "People or by the People's Representative w[ch] is the same thing

"That by a subsequent article the Council chosen by the People can effect nothing without "the consent of the President General appointed by the Crown; the Crown possesses therefore "full one half of the power of this Constitution."

"That in the British Constitution the Crown is suppos'd to possess but one third, the Lords "having their share.

"That the Constitution therefore seem'd rather more favourable for the Crown"

But it seems an obvious answer to say that the power of the President General w[ch] in the remarks is called *one half of the Power of the Constitution*, is only a *Negative* one, stripped of every branch of the prerogative, and is at best only a preventative power in a small degree. It may controll the other half of the constitution from doing mischief by any act of theirs, but it can't prevent mischiefs arising from their inactivity, neglect or obstinacy.

As to the remark "that in the British Constitution the Crown is supposed to possess but "one *third* of the power, the Lords having *their* share;" with the consequences drawn from it in favour of the Albany Plan; it seems a palpable error to suppose that the Peers of the Realm who are created by the Crown, weaken its influence & power in the state by their being one of the three branches of it.

It may be further observ'd that the prerogative is so much relaxed in the Albany Plan, that it doth not appear well calculated to strengthen the dependency of the Colonies upon the Crown; which seems a very important article in the consideration of this affair.

I have I am affraid, Sir, been too diffuse in my remarks upon the Albany Plan, and it may perhaps be expected that I should offer some other plan in lieu of it.

I have turn'd my thoughts upon one, Sir, and form'd a rough sketch of it; but as I understood the Lords Commissioners for Trade and Plantations were forming a plan themselves, I did not think it proper for me to transmit my crude sentiments to you upon so difficult and delicate a work. I am, with the highest respect,

Sir

Your most humble and
most obedient Servant
W. Shirley.

The Right Hon[ble] Sir Thomas Robinson

Secretary Robinson to the Governors in North America.

[Governors and Commanders in North America, (S. P. O.) No. 74.]

Whitehall Jan^{y} 23. 1755.

Sir,

The King, being determined that nothing shall be wanting, towards the support of his Colonies and Subjects in North America, has commanded me to signify to you, his Majesty's intention to augment the Regiments in British pay (viz^{t} not only Sir Peter Halkets, and Col: Dunbar's, but, likewise those which are now employed in Nova Scotia) to the number of 1000 Men each, to which end, you will correspond with Major General Braddock, or the commander of the King's forces for the time being, from whom you will receive directions for the sending such contributions of Men, as shall be wanting, and to such places where the same shall be quartered or employed under his command.

As there is probably, a considerable number of persons, as well among the Natives of America, as among such Foreigners, who may be arrived there from different Parts, particularly from Germany, who will be capable and willing to bear arms upon this occasion; the King does not doubt, but that you will be able by care and diligence to effect this intended augmentation and to defray the charge of levying the same from the common fund, to be established for the benefit of all the Colonies collectively in North America, pursuant to His Majesty's directions, signified to you, by my letter of the 26th of October last, for that purpose; and as an encouragement to all such persons who, shall engage in this service, it is the King's intention (which you will assure them in his Majesty's name) that they shall receive arms and cloathing, at the King's expence, and that they shall not only be sent back, (if desired) to their respective habitations when the service in America shall be compleated and ended, but shall be entitled in every respect, to the same advantages with those Troops which may be already raised in consequence of your former orders.

I am ettc.

T Robinson

P. S. I have received your (Gov^{r} of N. Y.) letters of Oct^{r} 8th and 21st and Dec^{r} 15th

Order in Council appointing Sir Charles Hardy Governor of New-York.

[New-York Papers, Bundle Kk., No. 85.]

At the Court at S^{t} James's, the 29th of January 1755.

Present— The Kings most Excellent Majesty in Council.

Upon reading this day at the Board a Representation from the Lords Commissioners for Trade & Plantations dated the 28th of this inst: recommending Charles Hardy Esq^{r}, as a proper person to be appointed Capt^{n} General & Gov^{r} in Chief of His Maj$^{ty's}$ Province of New York, in the room of Sir Danvers Osborn Baronet, deceased—His Majesty in Council approving

thereof, is pleased to order, as it is hereby ordered, that the said Charles Hardy Esq^{r} be constituted and appointed Capt^{n} Gen^{l} & Gov^{r} in Chief of His Maj$^{ty's}$ said Province of New York in the room of the said Sir Danvers Osborn, Baronet, deceased. And that the said Lords Commiss^{rs} for Trade and Plantations do prepare a draught of a Commission and Instructions for the said Charles Hardy, and lay the same before his Maj^{ty} at this Board for his Royal approbation

W. SHARPE

Lieutenant-Governor De Lancey to Secretary Robinson.

[S. P. O., Governors' Letters, LXVIII.]

New York 31 Jan. 1755.

Sir

In consequence of the letter which I had the honor to receive from you of the 26th of October, I have ordered the Assembly to be called together before the time to which they were before adjourned, which was the second Tuesday in March. They are appointed to meet on the 4th of February, when I shall lay your letter before them and press them to make provision to enable me to fulfill His Majesty's commands.

I this week received a letter from Monsieur Du Quesne the General of Canada (a copy of which I enclose) in answer to mine of the 16th of October. The answer is such as I expected; but it is beyond all doubt that the Indians domiciliated among the French dose not take any step against the inclination of the General. I send and extract of a letter I received from the commanding Officer of Oswego. I should have been surprised at the confidence with which the General of Canada tells our Indians that the English are sending him letters inviting him to join them to destroy the Indians, had I not heard the like piece of falsehood, but of a more impudent nature, from a French Indian last year at Albany, who told me that he heard the General of Canada in presence of many Indians reading a letter, as from the King of Great Britain to the French King, proposing to him to join his forces with the English to extirpate all the Indians. These are wicked and mean artifices and cannot make a lasting impression.

Yesterday the Lieu^{t} Colonels Ellison and Mercer came to this town; I have ordered horses to be got for them to carry them to Connecticut in their way to Boston, for which place they will set out as soon as the weather permits. An active lively officer at the head of this Government, with a regiment, would be of great service at this time and have a great influence among the Indians. I am with great esteem

Sir

Your most obedient and
most humble Servant
JAMES DE LANCEY.

The Right Hon^{ble}
Sir Thomas Robinson

Marquis du Quèsne to Lieutenant-Governor De Lancey.

[S. P. O., Governors' Letters, LXVIII.]

[TRANSLATED FROM THE FRENCH.]

Quebec 26. X^ber^ 1754

Sir

I have received the letter your Excellency did me the honor to write me, on the 16^th^ S^ber^, which reached me on the 15^th^ instant. I am flattered that your Excellency appreciates my sentiments, which are entirely opposed to exciting the Indians to go and commit the most barbarous acts among His Britannic Majesty's subjects, with whom we are in the most profound peace. This is so respectable a course for me, that I shall not depart from it.

I have, these two years, prevented the Abenakis going to avenge the death of two of their chiefs, whom the English killed, in the direction of Boston; but as all the Indian nations are free, and even pride themselves considerably on this freedom, the Abenakis sent me word, in the beginning of May, that they would be sorry to displease me, but that they were unable to control their young men, who were decided on going to avenge the death of their chiefs.

A party from the village of S^t^ Francis and Becancourt urgently demanded my permission to visit their brethren, the River Indians, (*Loups*) settled near Orange. I gave them permission, on condition that they would not cause any complaint; and I ordered the commandant at Fort S^t^ Frederic again to communicate my commands to them. But after so many reiterated protestations, I did not, until they had returned home, learn the ravages they had committed in your Excellency's Government; that they had very adroitly kept the commandant of Fort S^t^ Frederic in ignorance, who on that occasion only followed the custom practiced at all our posts, of furnishing provisions and means of transportation to all the Indians who come and go.

As for the rest, I must assure your Excellency, that no person in this colony is ignorant of the displeasure with which I have treated those Indians for not having submitted to my will; for had it been possible to chastise them personally, I should have done so; I am certain, however, that nothing further will occur in your government, since I have given orders to the commandant at Fort S^t^ Frederic to withhold all supplies from them; but I cannot omit observing to your Excellency, that Belts are transmitted by way of Choueguen to all our posts, to corrupt the nations which are attached to us; and that a number of these belts have been brought to me by the Indians themselves. This assuredly does not contribute to the maintenance of good understanding, which is so much recommended to us in an equal manner. I cannot avoid reporting the matter to the King, my Master, together with the barbarous disorder the intractable Abenakis have committed in your government, contrary to my intention.

I have the honor to be
signed Du Quèsne.

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 44.]

My Lords,

In consequence of a letter I received from Sir Thomas Robinson of the 26th of October last, I have ordered the Assembly which had been adjourned to the second Tuesday in March to be called together, to meet the 4th of February; when I shall press them to make provision to enable me to fulfill what His Majty expects from this Province. I shall endeavour to prevail on them to put the Country in a posture of defenee; but as these services cannot be carried on without a paper emission, I shall be under a necessity to give into it, tho' shall insist that the funds for sinking the Bills be sufficient to do it in five years, agreable to the act made for restraining the New England Colonies.

I inclose your Lordpps an extract of a letter from the Officer at Oswego. I should have thought it very surprising that the General of Canada should tell our Indians, that the English are sending letters to him, to join them in destroying the Indians, had I not heard the like piece of falsehood, but of a more impudent nature, from a French Indian last year at Albany, who told me that he heard the General of Canada reading a letter as from his Majty to the French King, proposing to him to join his forces with the English to extirpate all the Indians. I shall take the best measures I can to wipe away this foul aspersion by sending the Interpreter among them, and as they are in want of Corn, I hope a seasonable supply, as soon as the Rivers are practicable, will have a good effect to this purpose.

I have sent ten pieces of Cannon 18 pounders ettc to Govr Shirley to be employed in executing a plan he has formed.

In the beginning of the late War the Assembly granted money for purchasing a quantity of gunpowder for the use of the Province, and Commssrs were appointed, who, bought up a large quantity, which was lodged in the magazine of this City, and there remained for several years, till Mr Kennedy His Majesty's Collector, seized the same as illegally imported, there being no doubt Dutch powder among it, as general quantities of it are run into this Province. The affair is now depending in a course of Law, but if it be not discharged, I am persuaded no Assembly will be brought to raise money for purchasing any more. Mr Kennedy first filed an information in the Admiralty Court whence it was dismissed. The cause is now depending in the Supreme Court, when it shall have received a decision there, I shall let your Lordpps know the result. The powder was purchased of the Merchants in the Town, and there was so great a scarcity then, that the exportation was prohibited.

I take care to send the Intelligence I receive of the motions of the French to the Governts concerned; I shall likewise send the extract of the letter from Oswego to be delivered to General Braddock on his arrival.

I send the two Reports of a Committee of the Council with affidavits annexed; as also the Report of the proceedings of the Commissrs appointed on the part of New York, to settle the line between New York and Massachusets Bay, with the Map to explain it, and a duplicate of my letter of the 15. Decr last. I am

My Lords — Your Lordpps
most obedient & most
humble servant
JAMES DE LANCEY.

31 Jany 1755.

Lieutenant Holland to Lieutenant-Governor De Lancey.

[New-York Papers, Bundle Kk., No. 45.]

Oswego. 1 Janʸ 1755.

Sir,

All the news I have to Report your honour, is, that some of the Chiefs of our Five Nations that went to Canada last Fall, are just returned, who say, they have settled the point they went on, which was, that this place and Albany should remain in peace and quietness without molestation.

And by private intelligence from one of the chiefs (much in our interest) we have the following particulars, which perhaps your Honour may think, worth some notice. vizᵗ: That on their first arrival in Canada they were spoke to, with a very large Belt of Wampum, by Six different Nations of French Indians, advising and intreating them, as Brothers, to break the sale of the Lands they made to the English on the River Ohio, and to have some consideration for their offspring, for those, they called Brothers, (meaning the English) were seeking both, their ruin and destruction. He further tells us that on their arrival at Montreal, the Govʳ in Chief was gone to Quebec, and they were desired to go down and speak to him, and they would receive large presents, to which they replyed, they did not come for presents, but upon Business, and if they could not be heard there, would return home; upon which, they had a hearing, and their speeches taken down in writing, which was dispatched express to Quebec, and they detained for an answer, which in a few days came to the following purpose: "Children, I am heartily sorry we cant see one another now, especially as it is at a time when you have much need of my Paternal advice, for those whom you call Brothers, the English, are seeking your overthrow (especially the Virginians who are a very bad mischevious people) as I have daily letters from them and your other Brothers to join them, (and as you are but a handful of people) cut you intirely off from the face of the Earth, and then divide your Lands between us. But children, I will not listen to any such proposals, as my paternal care is too great ever to suffer my children to be so used; but as to the lands on the River Ohio, I will take to myself what I have a mind to, in defiance of the English, and since providence has ordered it, that we can not meet one another now, I send you this Belt of Wampum, that you may acquaint all my Children of the Five Nations with the Treachery of your Brothers, and that you all (Mohawks included) meet me as early as possible in the spring at Montreal, where I shall give you may Fatherly advice, as well as consult with you for the means of your future safety from the impending danger now threatened by your Brethren the English, and after we have come to a conclusion, you shall return to your respective homes, and I will go over to France, and report to your Great Father the King, the methods we agree on for your safety that it may meet with his approbation & protection.

They also Report, that an Officer was arrived at Montreal from Ohio, who was to return back this Winter with a Reinforcement sufficient to Rout all the English from thence.

I am also informed that the whole Five Nations are to meet this Winter at Onondaga, to consult on the Messages from the French and their Indians.—I am ettc.

Kitchen Holland

Copy Examᵈ by
G. Banyar D Secrᵗʸ

Lords of Trade to the King.

[New-York Entries, O., 363.]

To the KING'S MOST EXCELLENT MAJESTY.

May it please Your Majesty.

In obedience to Your Majesty's Order in Council, dated the 29th of last Month, we have prepared the Draught of a Commission for Charles Hardy, Esqre to be Captain General and Governor in Chief of Your Majesty's Province of New York in America, which being in the Usual form, we herewith humbly lay before Your Majesty and shall prepare the necessary instructions for him with all possible despatch.

Which is most humbly submitted.

DUNK HALIFAX
J. PITT.
J. GRENVILLE
R. EDGECUMBE.

Whitehall
Febry 4. 1755.

Governor Shirley to Secretary Robinson.

[S. P. O. Governors' Letters, LXVIII.]

Boston New England Feb 4. 1755.

Sir

I beg leave to take notice of a chart which Mr Pownall hath transmitted to the Earl of Halifax one part of the design of which is to give a specimen of the disposition of an Indian Colony in such a manner as to make the Indians inhabiting it, a good barrier against the French, and at the same time dependent upon the English.

The Indians in general are certainly uneasy at any incroachmts upon their lands whether by French or English: could we but perswade them by such plans of settlements in their country as the inclosed Chart exhibits a specimen of, that the real design of the English was to protect them in the possession of their country, not to take it away, it would be carrying all points with them. This seems to me an object well worth attention.

I find Sir by the Western prints that the Assembly of Pennsilvania after an absurd obstinate dispute wth Govr Morris, abt instructions, have adjourn'd themselves, whilst the enemy is at their doors, to the beginning of May, without doing any thing for the preservation of their country. The Assembly of Maryland hath likewise risen without doing any thing further than having rais'd a Company of 50 men, wch was done before. I can't find any appearance of South Carolina's being active in the common cause; and whether the populous rich country of Virginia will pursue proper measures for retrieving the bad consequences of the defeat they have suffer'd from an invading enemy, thro' their former weak measures, I mean whether they will now act with suitable vigour, is not yet known. Every ninth fighting man went out of the Province of the Massachusetts Bay upon the expedition against Cape Breton and for the

defence of Nova Scotia in 1745. why should not every twelfth fighting man at least in Virginia be rais'd there to repel the enemy out of their country, w^ch^ would make a body of between 4 and 5000 men. You well know Sir what part New Jersey hath acted, and the conduct of New York.

This behaviour seems to shew the necessity not only of a Parliamentary Union, but taxation, for the preservation of His Majesty's dominions upon this Continent, w^ch^ the several Assemblies have in so great a measure abandon'd the defence of, and thereby lay'd His Majesty's Governm^t^ at home under a necessity of taking care of it for the State, by suitable assessm^ts^ upon the Colonies.

I am with the highest respect
Sir
Your most humble and
most obedient Servant
W. SHIRLEY.

P. S. I perceive by a letter from Colonel Lawrence y^t^ he is in expectation of a visit from M^r^ Galissoniere, in the spring; at least preparing for his reception.

R^t^ Hon^ble^ Sir Thomas Robinson
one of His Majesy's Principal Secretaries of State.

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 49.]

New York. 18^th^ March 1755.

My Lords,

In consequence of a letter of the 26^th^ of October last from the Right Hon^ble^ Sir Thomas Robinson one of His Maj^tys^ principal Secretaries of State, I called the Assembly together on the 4^th^ of February altho' they had been adjourned to the second Tuesday in March; Your Lord^pps^ will find what passed by the printed votes the result of their short meeting is contained in three acts then passed. The first, for regulating the Militia, is made more effectual than any heretofore, which will make them more serviceable and may contribute to the security of the province. The second is an Act for raising a supply of £45000 of which £20000 is to be employed in fortyfying the City of New York, £6000 in fortyfying the City of Albany, £3000 in fortifying the Town of Schenechtady a place on the Mohawks River 16 Miles Northwestward from Albany, £1000 for securing the Town of Kinderhook a settlement on the east side of Hudson's River 18 Miles below Albany and is considered as a principal frontier on that side of the River, £600 for building a Fort on Hudson's River, above Albany. £5000 to replace the same sum given to Virginia and £5000 for refreshing such of His Maj^tys^ troops as may land in this Province and for providing convenient transportation for them towards the place of their destination and for other extraordinary services which may be judged necessary to the use and security of the Colony, the residue of the money to remain in the Treasury to be hereafter

disposed of. Upon this Act I shall observe to your Lord^{pps}, that the monies appropriated are to be issued by order of the Commander in Chief with the advice of the Council, so that the Assembly have receded from one of their ill grounded practices. Secondly, that they sent some of their Members to me, tho' not publicly, to know what persons I would have in the Bill as Managers for laying out the money, whose names were put in the Bill, but notwithstanding, I insisted on it, yet I could not prevail on the House after the names, to insert these few words in the Bill (whom His Honor has thought proper to appoint) and I durst not risque the fate of the Bill by insisting peremptorily on this Point. I hope the necessity of securing the Province and of obtaining money for the use of the King's Troops under the command of General Braddock in pursuance of His Maj$^{ty's}$ pleasure signified to me by Sir Thomas Robinson's letter, will plead for my excuse in breaking through my Instructions by giving my assent to a Law for a paper Emission without a suspending Clause; I could not get money in any other way, as your Lord^{pps} may be convinced of from what passed between me and the Assembly on this subject last fall; I have done the best I could, I had the advice of his Maj$^{ty's}$ Council for this measure, I had no view of advantage to myself, but the General one, of providing for His Maj$^{ty's}$ service and the preservation of a Country which is evidently of more concern to His Maj$^{ty's}$ Empire in America than any on the Continent. These were the only interesting considerations which influenced my conduct; the goodness of the Fund and the short period in which the Bills are to be sunk will, I am convinced keep them up to the credit at which they are admitted. The Third act is to restrain the sending provisions to Cape Breton, and a very necessary measure, as the French can not well carry on their expeditions in North America without the supplies of Provisions from the British Colonies. This Province and Massachusets Bay came into it about the same time, Jersey immediately after and I hope the other provinces will do the like; this seems to me a step of so great consequence as to deserve the attention of the British Legislature; if an Act of Parliament were passed for that purpose and to declare all vessells Trading in this way good prise and a few Cruisers stationed at Halifax in Nova Scotia to intercept them, it would be a great dissapointment to the French scheme of encroaching on His Maj^{tys} territories. I would not omitt this opportunity by a Vessel to Holland to inclose to Your Lord^{pps} the votes and the three Acts in print, as I shall not soon have one directly to England—I am

My Lords.

Your Lord^{pps} most obedient and
most humble servant.
James De Lancey.

Governor Shirley to Secretary Robinson.

[S. P. O. Governors' Letters, LXVIII.]

Boston New England March 24th 1755.

Sir

On the 18th Instant in the evening I had the honour of your letter dated the 26th of November last, transmitted to me by Major Gen^{l} Braddock, and have, pursuant to your directions

appointed to meet him at Annapolis in Maryland, (the place nam'd by himself) about the fourth of April, which I apprehend will be as early as he can come from Williamsburgh to Annapolis, after he shall have received my letter to him by the return of his express.

I intend to set out upon my journey for this purpose Thursday the 28th instant, before which time I can't possibly leave Boston without infinite prejudice to His Majesty's service in the enterprize I am engaged in with Lt Governor Lawrence for dislodging the French from their incroachments in Nova Scotia, and the scheme I have set on foot among the Colonies of New England and the neighbouring ones for dislodging them from their incroachments near Crown Point at the same time: the great importance of both which, to His Majesty's service upon the Continent of North America at this conjuncture, and the progress I have made in them are fully mentioned to you Sir in my other letters, that it is needless for me to repeat them here.

You will easily conceive Sir from the part I have in both these expeditions, how essential to the timely execution of them, my presence is here, untill I can finish all the necessary dispatches and orders for the fitting out and imbarcation of the 2000 men, which I have reason to think are near being compleated for that in Nova Scotia, and to the adjusting of the very many points necessary to be settled among the Colonies concern'd in that destin'd for Crown Point, and putting it in motion before I set out for Annapolis; neither of wch can be done before I meet my Assembly, which stands prorogu'd to the 25th Instant, when I shall endeavour to put these affairs into the best train I can, for going on during my absence, and I propose if possible to return from the interview wth General Braddock in time to finish every thing requisite for carrying both the expeditions into execution and to put my own Regimt, which I hope will be compleated in three weeks, into the best order the short time will allow, for receiving General Braddock's orders.

The General, in a letter I had the honour to receive from him, acquaints me that the plan of operations he proposes is to begin with the attack of the French Forts upon the Ohio, and at the same time to attempt the reduction of those at the Falls of Niagara; that for the first of these purposes he intends as soon as the transports arrive with the two Irish Regiments, to march himself with the forces he shall have with him, amounting as he expects in the whole to about 2300 British and Provincial troops, and to pass Alleghenney Mountains the latter end of April. The other part of the service he proposes to put under my direction and to appoint me to march as early as possible with the corps of the two American regiments to the attack of the Forts at Niagara, in order to cut off their communication with the French to the Northward by intercepting their reinforcements and to prevent their retreat.

Nothing in my opinion Sir, can be better projected than this scheme, or coincide more with the enterprizes set on foot in the Colonies of New England before the General's arrival in America. If all of them are successfully executed it would settle every point with the French this year; the demolition of their Forts upon the Isthmus, St John's River, at Crown Point, the Falls of Niagara, and upon the Ohio, and erecting defensible ones at those places and near the head of Kennebeck for His Majesty, would most effectually rid his Colonies of all incroachments, establish a barrier for them against all attempts either directly from Europe upon their sea coasts or thro' the River St Lawrence, the Great Lakes and the River Ohio on the back of them; and by putting His Majesty into possession of the principal passes into Canada, go half way towards the reduction of that whole country.

It would have been very practicable to have executed in this spring and the succeeding summer every part of the before mentioned general scheme if the five most Western Colonies had exerted themselves for their own defence, as much as the Province of the Massachusett's Bay and other Colonies of New England have done for the general service; including the 800 men, rais'd last fall for the expedition up Kennebeck River and building a Fort there, and the men that are already and will be rais'd towards compleating the two American regiments and those for the protection of Nova Scotia and His Majesty's lands at Crown Point, upwards of 4500 men will have been raised within the Massachusetts Bay, 2000 of them at the expence of that government, and the three other New England Governments have voted 2100 men besides, for the service at Crown Point at *their* charge. The five most Western Colonies after being harrass'd by a dangerous and increasing enemy at their doors, after suffering two defeats from them, and tho' more populous and much richer than those of New England, have not as far as I can learn, raised above 1100 men for their own defence, nor a man towards augmenting the two British regiments to 700 men a peice, as was proposed by the Crown. The effect of this backwardness in them may be to make it questionable wether the General will be strong enough in conjunction with the Provincial troops in Virginia and the corps of the two American Regim^{ts} supposing the former to amount to 1300, and the latter, w^{ch} are all raw troops almost wholly undisciplin'd, to 1700 (w^{ch} will make up his whole force of 4000 men) to attack the French Forts upon the Ohio, and at the same time attempt the reduction of those near the Falls of Niagara.

However if the General should finally judge it not adviseable to make both attempts with his forces divided, but proceed first with the main body of his forces to attack the French Forts near the Falls of Niagara, sending only such a detachment to the Ohio as might amuse the French Forts there with the expectation of a speedy visit from him, the reduction of the first mentioned forts would penetrate into the heart of their incroachments upon the Great Lakes and the Ohio, and by cutting off all communication between Canada and their forces upon that river, leave them an easy prey to famine, if no other stroke should be given them (w^{ch} yet might be done soon after the reduction of the Forts at Niagara was effected) and make them in a short time be glad to accept of a safe passage back to Montreal, if that should be permitted to them. The dislodging of the French from these Forts Sir, and building a defensible fort some where on the Streight between Lake Erie and Lake Ontario with one or two vessells of force upon each Lake to command the navigation of them, and a few small fortify'd places of Shelter upon the River Ohio, would in all appearance most effectually put an end to the encroachments of the French there from Montreal; and as to those w^{ch} may be expected from the Missisippi, after their support from Canada is cut off, it seems probable that they would scarce attempt any, or if they should, that a most easy conquest might be made of them.

Having observed to you, Sir, of what importance I conceive the reduction of the French Forts at the Falls of Niagara would be to His Majesty's Western Colonies in particular, I shall now proceed to state the advantages which I apprehend would arise to all his Colonies in general upon this Continent from the operations proposed to be carry'd on at the same time in the Eastern part of them.

The importance of the Province of Nova Scotia to Great Britain consists in the following particulars viz^{t} whilst the English remain in the *Intire* possession of it, the French will not be able either to assemble or subsist for any long time a large body of regular troops in the

Eastern parts of this Continent, without great difficulty; the Island of Cap Breton and country of Canada can't produce provisions sufficient to support their present inhabitants, without foreign supplies. The French have now but one harbour in North America upon the Atlantick Ocean, & their navigation from thence to Canada w^ch^ lies thro' the Gulf and River of S^t^ Lawrence, is difficult at all times, and practicable but a few months in the year, so that they frequently lose a large ship in it.

And in these disadvantages of the French, very much lies the security of the English Northern Colonies against the power of France.

But if the French should make themselves masters of that Province which is the key of all the Eastern Colonies upon the Northern Continent on this side of Newfoundland, abounds with more safe and commodious harbours capable of entertaining large squadrons than the same extent of Sea coast in any other part of the world, and hath a fertile soil for provisions of all kinds; they would then have it in their power to introduce into North America directly from old France, and to support a very considerable number of land forces.

The loss of this Province would most probably be attended with a further *immediate* loss of the most Eastern parts of New England and the whole Province of New Hampshire; within which tract of territory is contained that part of the King's woods from whence the Royal Navy is almost wholly supply'd with masts yards & bowsprits, and a sea coast of fifty leagues upon the Ocean, besides that round the Bay of Funda.

The acquisition of it by the French would give them the Cod fishery of New England, Nova Scotia and the whole of that in the Gulf of S^t^ Lawrence, w^ch^ together with that which they already have upon the coast of Cap Breton and Banks of Newfoundland would maintain an immense nursery of seamen to man their Navy, and this advantage with the great extent of Sea Coast it would give them upon the Atlantick Ocean and the numerous harbours there, situated well to intercept all the trade w^ch^ passes thro' the Western seas in their return to Europe from the East and West Indies and South Sea, might go far in time towards putting it into their power to dispute the mastery of this part of the Atlantick Sea with the navy of Great Britain.

Another advantage w^ch^ the French would gain by this acquisition, and would crown the whole, is, that the Province of Nova Scotia lies contiguous to Canada and but 2 or three leagues from the Island of Cap Breton, and all these held together would give them so strong an hold upon this Continent, as might enable them in the end thro' the many other advantages they have over the English Colonies in time of war from the form of their government, their influence over the Indians and compactness of their territories, to accomplish the reduction of every one of them.

It would at least, as I have taken the liberty to observe to you Sir in another letter, be the business of a long and successfull war, to recover the Province from them.

The negociations preceeding the treaty of Utrecht shews with how great reluctance France was brought at the close of a war which had much enfeebled her, to consent to yield up this Province to Great Britain.

The artifices which she hath used to elude the Treaty ever since the making of that cession the hazard she run in losing above half her Naval force in the armament fitted out during the late war, under the Duke d' Anville for the harbour of Chebucto (now Halifax) at a time when His Majesty had a squadron of seven ships of the line in the harbour of Louisbourg and there was the utmost reason to apprehend that a much larger squadron would soon arrive

there from England; the immoderate claims the French Ministers have made since the treaty of Aix la Chapelle for extending the limits of Canada from the Southern bank of the River S^{t} Lawrence as far as Annapolis Royal upon the Peninsula on one side of the Bay of Funda and to the River Kennebeck on the other side of it, claiming even the Islands of Canso, and leaving no part of the Province to Great Britain except the spot upon which the City and garrison of Annapolis stand, and a narrow slip upon the Sea Coast from Cap Sable to the Islands of Canso exclusive; as also the manifest incroachments she hath made in contempt of the faith of treaties upon the lands concerning which a negociation was then actually depending: I say, Sir, these circumstances shew how great an object the Province of Nova Scotia is with the Court of France and how much it hath the reduction of it at heart.

The observations I have made Sir in my former letters upon the progress which the French have already made therein, make it needless for me to trouble you with the repetition of them in this, and Governour Lawrence's letters fully shew the great danger there is that the French will very soon extend their incroachments upon the Peninsula, unless they are prevented by our striking the first blow as early as may be this spring.

And this Sir seems clearly to evince the necessity of carrying into execution, without delay, the measures which M^{r} Lawrence and I have concerted in consequence of His Majesty's orders signify'd to us in your letter of the 5th of July, and repeated in a duplicate of it transmitted to me in October last, for taking all advantages to attack the French Forts in that Province.

As to the other enterprizes set on foot in the Colonies of New England, before the arrival of General Braddock, it seems most evident Sir that the attempt against Crown Point, besides the effect it may have for facilitating the execution of the intended one in Nova Scotia & reclaiming the Indians of the Six Nations and their Allies, as is set forth in the inclos'd extract of a letter from Colonel Johnson to me, who is the best judge in America of their dispositions, must greatly facilitate the reduction of the French Forts near the Falls of Niagara and securing that pass, by the very great diversion it must necessarily make of their forces at Montreal, (from whence their Forts at Niagara must expect their whole support) for the protection of that part of the country; especially if another should be made at the same time at Quebec, by a feint on the River Chaudiere, as I propos'd in my speech to the Assembly, and the expediency of securing the two most important passes into Canada, by erecting two Forts, one at or near the head of the river Kennebeck within a few days march of the City of Quebec, and another at Crown Point within near the same distance from their other capital city of Montreal; from both which sudden descents might be made into the heart of Canada at the same time; is so apparent that I need not observe upon them.

I am, with the highest respect
Sir
Your most humble and
most obedient Servant
W. Shirley.

The R^{t} Hon^{ble} Sir Thomas Robinson
Kn^{t} of the Bath, one of His Majesty's
Principal Secretaries of State.—

Colonel Johnson to Governor Shirley.

[S. P. O., Governors' Letters, LXVIII.]

Extract of a letter from Colonel William Johnson to Governour Shirley, dated New York March 17th 1755.

The Six Nations consider the lands on w^ch^ Fort S^t^ Frederick is built and considerably further to the Northward as belonging to them, and when this encroachment was first made, were not only ready to join but sollicited the English to drive off the French from thence, and afterwards when in the late war it was proposed to reduce that fortress engag'd heartily in it, but to no purpose, it being laid aside, and if the being so often trifled with and the want of places of security for their women and children and themselves in case of need to retire to (which they have frequently complain'd of) does not now deter them, I think I can, upon proper encouragement, engage the assistance of two or three hundred, which I think a sufficient number, and if we succeed it will not only reclaim those who are lately gone over to the French but probably the Coghnawages too, and attach the whole body of the Six Nations and their allies so firmly to the British interest, that we might depend on their assistance at all times if not wanting to our selves in a due management of their affairs. This and the success of your Excellency's plan of operations to the Eastward, which we have little reason to doubt of, would revive their spirits and convince them we mean in earnest to oppose the French vigorously. For while they observe the French so active and enterprizing, and we on the contrary intirely inattentive to our interests they will be averse to the taking any step that may draw on them the resentment of the French.

Your Excellency's letter to Gov^r^ De Lancey of the 24th Ult^o^ hath determin'd him to call the Assembly who are to meet here the 25th of this month, and in the mean time the Gentlemen of the Council and six of the Members of the Assembly now in town are to confer with M^r^ Pownal on the proposals from your Governm^t^ w^ch^ I heartily wish may be attended w^th^ the desir'd success. The Council as far as I can observe will come into the scheme. I can say nothing as to the Lower House, and until I know the result of this Governm^t^ or your Excellency points out to me in what manner I may be of service either in engaging the Indians or otherwise, should the expedition go on, I cannot be very explicit. It may be necessary however to mention that a great number of battoes will be wanting to transport the provisions, stores, &^c^ none of those being left which were provided for the late expedition intended to Canada, and should your Excellency determine to proceed, I apprehend workmen should be employed to make them as soon as possible; as many as can should be made here, for building a great number at Albany or Schenectady may be the means of apprizing the French of our design, and put them on their guard.

I have been detained here since the first notice of Commissioners setting out from your Governm^t^ and as my staying can be of no service to further the scheme on foot, I propose to leave this place on Tuesday or Wednesday next, imagining I shall know by that time the opinion of the Gentlemen who confer with M^r^ Pownal, and on my arrival at home can be taking the proper measure to prepare the Indians in case their assistance should be wanted, which is very necessary, and may be done without even raising in them a suspicion of our real intentions.

Your Excellency's zeal for His Majesty's service and the welfare and security of his Colonies, is not more conspicuous in any thing that the measures you are at present taking; and if all the Colonies propos'd to be engag'd in the operations this way, act with equal spirit with your own, I think at this favourable juncture we have well grounded hopes of a happy issue. It is my own and the opinion of every one I converse with that should the General begin the attack at Niagara (leaving a few men towards the Ohio to keep the French in expectation of a visit there) it would be the speediest method to deprive them of their incroachm[ts] on the Ohio, which they would soon find themselves under a necessity even to abandon, if we take and keep possession of that important pass.

Lords of Trade to the Lords Justices.

[New-York Entries, O. 368.]

To their Excellencies the Lords Justices

May it please your Excellencies,

In obedience to his Majesty's Commands signified to us by His Majesty's order in Council dated the 29 of January last, We have prepared draughts of General Instructions and of those which relate to the observance of the Acts of Parliament for the encouragement and regulation of Trade and Navigation for Sir Charles Hardy Knight whom His Majesty has been pleased to appoint Captain General and Governor in Chief of His Majesty's Province of New York in America In which draughts we have made alterations from, and additions to the Instructions given by His Majesty to Sir Danvers Osborn Bar[t] His Majesty's late Governor of this Province in the following particulars Viz[t]

Upon a late revisal of the general instructions heretofore usually given by His Majesty to Governors of His Majesty's several American Colonys it appeared that by a frequent insertion of the Additional instructions given from time to time and by not observing a proper method in inserting them the order in which the said general instructions had been first arranged was altered and matters which [had] no proper relation to or connection with each other, so intermixed and blended together as to create confusion and perplexity; We have therefore in this Draught which we now humbly lay before your Excellencies so arranged and digested the several Articles as that those which relate to the same subject and have a proper connection with each other may be found together we have likewise in many places where the expression might admit of a doubtful construction endeavor'd to make them more explicit but as a minute detail of these variations or of such as are merely literal seems to be unnecessary we shall only point out to your Excellencies such essential alterations as have been made in the subject matter of these Instructions.

We have in the first Article in which his Majesty's Council for this Province are named inserted the names of eleven persons as they stood in His Majestys former Instructions to the late Governor leaving out the name of Daniel Horsmanden who tho' formerly appointed of His Majesty's said Council was suspended from his seat by George Clinton Esq: when Governor

of this Province and did in consequence thereof present a petition to His Majesty praying to be restored which petition is now before his Majesty for his Majesty's determination thereupon we must however humbly beg to represent to your Excellencys that this Gentleman has since been appointed a Judge in the Supreme Court in this Province and having in the execution of this office acted with a due regard to His Majesty's Service and no complaint having been made against him we humbly submit it to your Excellencies whether it may not be for His Majestys Service that he should be restored to his Rank and Seat in His Majestys said Council and his name accordingly inserted in this Instruction.

The 19 Article is in lieu of the 39 Article of the Instruction given by his Majesty to the late Governor wherein his Majesty was pleased to signify his disapprobation of the extraordinary conduct and proceedings of the Council and Assembly of this Province during the administration of the Hon^{ble} George Clinton Esq: of their unjustifiable encroachments upon his Majestys Rights and prerogative and of their unwarrantable and illegal attempts to wrest the powers of Government out of the hands of his Majesty's Governor signifying at the same time his Majesty's pleasure that the Governor should recommend to them to prepare a proper law, for establishing a lasting and permanent Revenue for the support of Government as the only effectual method of restoring peace and tranquility to the Province and preventing the like disorder and irregularities for the future and lastly directing his Majesty's Governor to remove any of his Majesty's Council or other officers appointed by his Majesty who should concur or join in such unwarrantable measures for the future this instruction was laid before his Majesty's Council and Assembly by James Delancey Esq: His Majestys Lieut^{t} Governor of New York and from the letters and representations which we have since received from thence it appears that his Majesty's Council truly sensible of the Justice of his Majesty's sensures upon their former conduct have since shewn a proper regard to their duty and obedience to his Majestys commands and have always appeared ready to oppose any measures which the Assembly might propose and which appeared to them inconsistent with his Majesty's just Rights and the true constitution of that Province. We hope this Instruction may have had the like good effect upon the minds of the Representatives of the people and that they will for the future by shewing a proper regard to what shall be recommended to them from his Majesty and by departing from all unwarrantable and illegal encroachments upon his Majesty's Rights and prerogative attone for the errors of their former conduct We have therefore thought it advisable to leave out those parts of the Instruction which contains his Majesty's censures upon the former proceedings an[d] also the later part of it directing a removal of such of the Council who shall be guilty of the like misconduct for the future; but have retained the substance of that part which directs the Governor to recomend to the Council and Assembly to consider of a proper law for establishing a permanent Revenue for the support of Government which we are humbly of opinion is essential to the future peace and security of that Government and by which alone real Stability can be given to it. We must however beg leave humbly to represent to your Excellencies that it being doubtful whether by the Words of the former Instruction his Majesty's Governor was not tyed up from assenting to any law for making provision for temporary services until he should have obtained a permanent Revenue We have thought it advisable in the present critical situation of affairs in America to alter the Instruction in such a manner that upon any great and sudden emergency wherein the immediate security and preservation of that province or any of the Neighbouring ones may make an immediate supply necessary he may be at Liberty to assent to a law for making provision for such Exigency's although a law for a permanent Revenue should not have been passed.

The 21 Article which contains regulations for the Governors conduct with respect to the emission of paper bills of credit is in lieu of the Article of the former Instructions by which his Majestys Governor was restrained from assenting to any law for this purpose without a clause suspending its execution until his Majesty's pleasure might be known and it having been represented to us that in case of any great or sudden emergency the most effectual and least burthensome method of raising supply's would be by issuing bills of Credit, we have thought it advisable to alter the Instruction so that upon any such great and sudden emergency and in such case only the Governor may be at liberty to assent to a law for issuing a reasonable Quantity of such bills of credit provided proper funds be establish'd for calling in & cancelling them within a limited time and that they be not declared to be legal tenders in payment of any debts dues or demands whatever.

In the 43 Article which contains regulations for the Gov^{rs} Conduct in case of suspension of any of the patent Officers or their deputy's we have inserted some words to make those regulations to extend to cases where the deputy may happen to dye which was not provided for by the former Instruction from whence great inconveniences and disputes had arisen

The 95 and 96 Articles of the former Instructions ascertaining the Quota of men and money to be sent to New York by the neighbouring Colony's for erecting Forts and in cases of distress by invasion or otherways having been found entirely ineffectual and the Quota therein prescribed bearing no proportion to the present circumstances of the Colony's we have entirely omitted those Articles the purposes of which are fully provided for by the plan of Union of the Colonies which we have lately humbly laid before his Majesty.

Great Complaints having been lately made by the Five Nations or Cantons of Indians that settlements had been made upon their hunting grounds contrary to express and solemn treaty's and engagements heretofore made with them by his Majesty's former Governor of this Province and that they were dispossessed of their Lands in other places by persons claiming them under fraudulent purchases and great discontents and uneasiness appearing amongst the Indians on this account which in the present situation of affairs might be attended with very fatal consequences we have thought it for his Majesty's service to insert the 91, 92 & 93 Articles the first of which recites the treaty made with them in the year 1726 and the deed by which they surrendered their hunting grounds to the Crown to be protected and defended for their use and enjoins the Governor not to grant any lands or suffer any settlements to be made within the limits mark'd out in that deed the other two enjoin him to enquire into and use his utmost endeavours to redress the complaints of the Indians with respect to the Lands which they say have been taken from [them] by fraudulent purchases not to suffer any persons to purchase lands of the Indians without a licence from him and prescribe the regulations under which such licenses are to be granted in order to prevent the Indians being defrauded in the manner they set forth in the many representations they have made to his Majesty's Governors and others upon this subject.

These may it please your Excellencies are the only essential alterations from the Instructions given by his Majesty to the late Governor excepting that we have added to this draught several Instructions which have been given from time to time to the Governors of his Majesty's other Colonys but which have been omitted in those given to the Governor of New York tho' equally well adapted to the circumstances of this Province

In the draughts of the Instructions for the observance of the Acts of Parliament for the encouragement and regulation of trade and Navigation we have made no alteration from those approved of by his Majesty for the late Governor

All which is most humbly submitted

DUNK HALIFAX
J. PITT
J. GRENVILLE
FRAN: FANE
JAMES OSWALD
R. EDGCUMBE

Whitehall
Ap^{l} 22. 1755.

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., 54.]

4th April 1755.

My Lords,

Since my last of the 18th of March, I again called the Assembly together on the 25th of the same Month, and acquainted them with the arrival of General Braddock, and the two Regiments in Virginia, and recommended to them the enabling me to quarter Troops ettc. and to contribute to a General fund for Articles of a more general Concern, agreable to His Maj$^{ty's}$ pleasure signifyed in Sir Thomas Robinson's letter of the 26th of October. I also laid before them a Plan of M^{r} Shirley's for attacking Crown Point, and desired them to make better provision for supplying Oswego, as your Lord^{pps} will see by my Message inclosed. The result of this short meeting (for they met on Tuesday and broke up on Saturday) is contained in their votes.

Instead of providing for Quarters, they desire I would repair the old and build the new Barracks for accommodating his Maj$^{ty's}$ Troops; and I could not prevail on them to find bedding and other necessaries for the Barracks. 2^{ndly} They declare their readiness to contribute to a general fund for the service of North America, when the other Colonies shall come into it, they having already given five thousand pounds towards assisting Virginia. 3^{dly} They agree to M^{r} Shirley's plan and will bear their proportion if the General approves of its being carried into execution. All which will appear by the papers inclosed; and they have provided for the more punctual payment of the Contractors for supplying Oswego. I thought it my duty to take this opportunity, though by the way of Holland, to acquaint your Lord^{pps} of these matters—I am—My Lords.

Your Lordships
most obedient and most
humble servant

JAMES DE LANCEY.

Secretary Pownall to Attorney-General Murray.

[New-York Entries, B. P., p. 3.]

To the Hon^ble^ W^m^ Murray Esq^re^ His Maj^ty's^ Attorney General.

Sir.

Sir Charles Hardy, whom His Majesty has been pleased to appoint Governor of New York being to embark in a few days for His Govern^t^, I am directed by the Lords Commiss^rs^ for Trade and plantations to send you the enclosed state of a Case, to desire the favour of your opinion upon it, as soon as you conveniently can, to the end that Slr Charles Hardy may be properly instructed thereupon. I am

Sir

Your most obedient servant

11 June 1755. JOHN POWNALL.

[New-York Entries, B. P., p. 4.]

CASE.

M^r^ Clinton, the late Gov^r^ of New York, was empowered by letters Patent under the great Seal "to constitute and appoint Judges, and, in cases requisite, Commissioners of Oyer and "Terminer, Justices of the Peace, and other necessary Officers and Ministers in the said "Province, for the better administration of Justice and putting the Laws in execution"—

By the 39^th^ Article of his Instructions he was directed: "not to displace any of the Judges, "Justices, Sheriffs, or other Officers or Ministers within the said province of New York without "good and sufficient cause to be signified to the King, and to his Commiss^rs^ for Trade and "plantations"—and in order to prevent arbitrary removals of Judges and Justices of the peace, he was further directed by the same Instruction "not to express any limitation of Time in the Commissions which he should grant, with the advice and consent of the Council of the said Province, to persons fit for those employments"—

Some time after M^r^ Clinton's arrival in his Govern^t^, he gave a Commission under the seal of New York to James De Lancey Esq^re^ to be Chief Justice during his good behaviour, which office had before that time been usually held during pleasure.

Some time after, M^r^ Delancey obtained his Commission of Chief Justice during good behaviour, His Majesty was pleased to appoint him Lieut^t^ Gov^r^ of the province of New York; in consequence of which, the Administration of the Government of that province, and the Custody of the public seal thereof, did, upon the Death of Sir Danvers Osborn the late Gov^r^, devolve upon him.

Query:

Was the Commission given by M^r^ Clinton to M^r^ Delancey to be Chief Justice during good behaviour vacated by M^r^ Delancey's taking upon him the Administration of the Govern^t^ and the Custody of the public Seal upon the death of the late Gov^r^? or has M^r^ Delancey a right to return to the exercise of the Office of Chief Justice under the Authority of the said Commission, when his Administration of Govern^t^, as Lieut^t^ Gov^r^, shall cease upon the arrival of a Gov^r^ in Chief.

Lords of Trade to Lords Justices.

[New-York Entries, P. P., p. 12.]

To their Excellencies the Lords Justices.

May it please Your Excellencies.

We have had under our consideration, an Act passed by His Majᵗʸ's province of New York in December last, intituled;

"An Act for submitting the controversy, between the Colonies of New York and New Jersey, relating to the partition between the said Colonies to the final determination of His Majesty"—

And having been attended by Mʳ Charles Agent for the Province of New York, and by Mʳ Paris, Agent for the proprietors of East New Jersey, and heard, what each party had to offer upon this Act, we beg leave humbly to represent to your Excellencies:

That the controversy between the provinces of New York and New Jersey, concerning the true boundary line between them, from which this Act takes its rise, has subsisted many years, and various Acts and proceedings have at different times been had, and done thereupon, with a view to ascertain this boundary, but without effect. In the year 1748. the Legislature of New Jersey passed an Act, entitled:

"An Act, for running and ascertaining the line of partition and division betwixt this province of New Jersey and the province of New York"—but it appearing to us, upon a consideration of this Act after hearing of the parties interested by their Counsel, that the proceedings on which it was founded, being not warranted by His Majᵗʸ's Authority, it could not be effectual to the ends proposed by it, and the object of it being to set up an exparte determination it would be unjust; we did in our representation of the 18ᵗʰ of July 1753. humbly lay it before his Majᵗʸ for his Royal disallowance, humbly offering it as our opinion, that the only method, by which the matter in dispute could be properly and effectually decided, would be, a Commission to be issued by His Majesty for that purpose.

It appears from the letters and papers, which we have since received from the Governors of New York and New Jersey, that great outrages have from time to time been committed on the frontiers of the Two provinces, to the prejudice of His Majᵗʸ's service and the disturbance of the public peace; and although various propositions have been made by persons authorised on both sides, for determining the controversy, yet, none of them have had effect, nor is there any room to hope that the parties interested will concur in any effectual measure for deciding the dispute.

The Act, which we now humbly lay before your Excellencies appears to us to be liable to several objections; it is improper as the method of determination which it proposes is unusual and contrary to the constant practice in cases of the like nature; questions of disputed boundary, whereby private property may be affected, having never been determined by the Crown in the first instance but always by a Commission from His Majᵗʸ, with liberty to all parties which shall think themselves aggrieved by the Judgement of the Commissʳˢ, to appeal to His Majᵗʸ from their decision. It is also improper, because, altho' the very object of the Act, is to submit the matter in dispute, as far as private property is concerned, to the determination of His Majᵗʸ, yet, it previously ascertains in some degree the limits of private

Right and property, by declaring that certain patentees, therein mentioned shall not extend their claim beyond a limit therein described; and if it was not liable to these objections, yet it would be ineffectual, as the proprietors of New Jersey, have not consented to the method of decision therein proposed. For all which reasons we humbly beg leave, to lay the said Act before your Excellencies, for your Excellencies disallowance.

We beg leave further to represent to your Excellencies, that it appears to us to be of the greatest importance to the peace and tranquility of the two provinces, that some certain line of property and Jurisdiction should be speedily settled between them, which, as we conceive, can only be done by a Commission to be issued in the same manner and under the same regulations as that issued in the year 1737. for running the boundary between the provinces of the Massachusets Bay and New Hampshire, with liberty to either party, who shall think themselves aggrieved, to appeal to His Majesty in his privy Council. The Agent for the proprietors of New Jersey declared himself willing to concurr in this measure, and has offered to give ample security, that the said proprietors shall and will defray one half of the expence of such a Commission, but the Agent of New York, not being Authorized by his Constituents has declined entering into such an agreement. We would therefore humbly propose to your Excellencies, that an Additional Instruction be given to His Maj$^{ty's}$ Gov^{r} of New York directing him to recommend it to the Assembly of that province to make provision for defraying one half of the expence of obtaining and executing such Commission, as aforesaid, whenever his Maj^{ty} shall be graciously pleased to issue it.

All which is most humbly submitted.

DUNK HALIFAX
J. GRENVILLE
JAMES OSWALD
FRAN: FANE.

Whitehall
June 12. 1755.

Governor Shirley to Secretary Robinson.

[S. P. O. Governors' Letters, LXVIII.]

Boston New England June 20th 1755

Sir

I had the honour to acquaint you in my last that Major General Braddock had inform'd me by letter from Williamsburg soon after his arrival in America, of the plan of operations he propos'd this year, viz^{t} the attack of the French Forts upon the Ohio with the two British regiments, two of the New York Independent Companies and the Provincial troops of Virginia Maryland and North Carolina, amounting all of them to about 2400 men, under his own command; and the reduction of the French Forts at the Strait of Niagara with the two American new rais'd regiments, which service he purposed to put under my command. The measures for removing the French from their incroachments upon the Isthmus of Nova Scotia and S^{t} John's River were as I had before acquainted you Sir, concerted, and the expedition against the French incroachments at Crown point form'd, before the General's arrival. The business of my own Government (the General Court being sitting when I received His Excellency's letter)

and in particular the disposition & orders relative to the two last mention'd expeditions, which were requisite to be settled before I left the Province in order to keep all the preparations going on in my absence, for carrying them into execution in case the General should approve of them at my interview with him, necessarily detained me from setting out from Boston untill the 30th of March. On the twelfth day of April I arrived at the Camp at Alexandria in Virginia, about 565 miles distance from this place, where I had the honour of meeting the General and the same day, after consulting with Commodore Keppell and myself, His Excellency determin'd upon the whole plan wch consisted of the before mention'd operations upon the Ohio, at Niagara, in Nova Scotia, and Crown Point, to be executed as near as might be about the same time. The first part of the plan indeed, was in effect concluded upon, and several steps taken in it (the whole corps of the British Regiments, except two Companies, being march'd with their baggage and greatest part of the train of artillery for Winchester in their way to Wills's Creek) before my arrival. The attempt to remove the French from their incroachments in Nova Scotia and at Crown Point were, upon my communicating the propos'd schemes for effecting them, to the General, both intirely approv'd of by him; and an express was thereupon sent the same day, with his directions for Colonel Lawrence[1] immediately to proceed in the former, according to the place concerted between him and me, without staying till the regiments in Nova Scotia should be compleated to 1000 men each for which he had lately received orders. The attempt of the reduction of the French Forts at Niagara with mine and Sir William Pepperrell's regiments (as His Excellency had propos'd in his letter) was at the same time determin'd upon by him, and in order to secure the important pass there in the most effectual manner, it was agreed to have some vessells forthwith built to command the navigation of the Lake Ontario; the care of doing which the Commodore hath committed to me.

According to this plan the French will be attack'd almost at the same time in all their incroachments in North America; and if it should be successfully executed in every part, it seems highly probable that all points in dispute there with them may be adjusted this year, and in case of a sudden rupture between the two Crowns the way pav'd for the reduction of Canada, whenever it shall be His Majesty's pleasure to order it

After I parted with the General, I found from the deficiency of Sir William Pepperell's levies, that there was no prospect of his raising more than 600 men by the time, that the troops destin'd for Niagara must begin their march, and as two of the Companies of his regiment were order'd to be posted at Oswego upon an expectation that the French would attack it which will reduce them to 1400 men, and that force would in the general opinion as well as my own be too weak an one to secure the pass at Niagara; in my return thro' the Government of New Jerseys, I apply'd to the Assembly there, which was then sitting to permit the Regiment of 500 men, which they had lately voted to raise for the expedition

[1] Brigadier General Charles Lawrence, was a Member of His Majesty's Council in Nova Scotia in 1749, and in 1750, whilst yet a Major of the 60th or Royal American Regiment, was detached against the French Neutrals, when he built Fort Lawrence on the River Misiquas, at the head of the bay of Chignecto. On Governor Hopson returning to England, Major Lawrence became Administrator of the government, November 1, 1753; Lieutenant-Governor, October 21, 1754, and Governor of the Province July 23, 1756. He became Colonel of his regiment on 28th September, 1757, and was appointed Brigadier General in America on 31st December following. In the next year he assisted at the taking of Louisburgh, and on the 2d of October, 1758, opened the first session of the first House of Assembly in Nova Scotia. His career was brought to a close on the 19th of October, 1759, to the deep regret, says Haliburton, of every individual in the Province. The House of Assembly caused a monument to be erected to his memory in St. Paul's Church, Halifax. It was during Governor Lawrence's administration that the Acadians, or French Neutrals, were cruelly expelled from their native country, and dispersed throughout the American Colonies. — Ed.

against Crown Point, to join their forces under my command in the reduction of Niagara, and prevail'd with them and Gov^r^ Belcher to pass an Act for that purpose, by which means my troops were augmented to 1900.

As the diversion which must be occasioned to the French Forces in Canada by the attack of Niagara, must make a less force sufficient for the reduction of the French Fort at Crown Point than was at first determin'd to have been employ'd in it; before the attempt on Niagara was projected, I thought this regiment might be spar'd from the service at Crown Point; and the General hath since approv'd of this augmentation of the Niagara forces.

It being generally apprehended that the troops under my command would be still too weak for the service at Niagara, as with that pass the French must lose the only *practicable* communication they have be[twe]en Canada and the Missisippi (that lying across the Lake Ontario from thence over the Strait of Niagara to Lake Erie, and over that into the River Ohio which falls into the Missisippi) & consequently all hopes of establishing themselves in the rich country behind the Apalachian Mountains, or of maintaining their extensive furr trade there, without both which Canada can be of but small value to them; so that it must be expected they will use their utmost efforts to defend it: this I say, Sir, being the general apprehension, at my return to Boston, the Assembly of my own Government pass'd a vote enabling me to employ as many of the troops rais'd within this Province for the service at Crown Point, as I should think proper in that ag^st^ Niagara; leaving 3700 in the whole for Crown Point, and provided the men were willing to go with me and the other Governm^ts^ concern'd consented to it. Since which I have obtain'd the consent of all the other Governments, but one.

With this reinforcement I shall not have an opportunity of acquainting the General in time to receive his approbation, before I set out for Niagara. But as 3700 men, in conjunction with 300 Indians w^ch^ we have reason to depend upon being engag'd in the expedition ag^st^ Crown Point, is doubtless a much more adequate force now for the reduction of the French Fort there, than 5000 the utmost that was proposed before would have been when the whole strength that is left in Canada would have been muster'd at Crown Point to defend it ag^st^ our attack; and are certainly a much more sufficient force for that service than 2400 (the whole of my troops, if they should be increased with 500 more) will be for gaining and securing the pass at Niagara, upon w^ch^ depends the Southern Dominion now in dispute between us and the French, which is of infinitely more value than the Fort at Crown Point; I think there can be no doubt of his approving it.

In addition to these reinforcements I am in hopes of procuring a number of Indians to join with me at Schenectady and Oswego, which are necessary in the service for scouts, outguards in marches thro' narrow defiles, and to guard the battoes in their passage thro' the narrow parts of rivers and creeks, and gaining intelligence; and as the General could not spare me any part of his train of artillery, I have, with the peices I have taken from Castle William in this Province, others which I have borrow'd of Governor De Lancey from New York, and some peices of ordnance which I have caused to be cast within my own Government, collected a proper train for the service.

In my passage back to Boston thro' the several Governments concern'd in the expedition against Crown Point, I had an opportunity of settling several points among them which retarded their movements in it; and I hope the troops destin'd for that service will be fitted out in proper time; they are most or all of them upon their march for Albany the place of rendezvous, and many of them arrived there and on the point of proceeding from thence towards Lake Champlain.

My own regiment began 13 days ago to march in divisions from hence to Providence in Rhode Island governm^{t} where they were all imbark'd and sail'd five days since wth a fair wind for Albany, thro' which they will directly march for Schenectady, without making any halt; and I hope by this time their transports may have enter'd Hudson's River. The New Jersey regiment arriv'd at Schenectady some days ago, as I have reason to hope all the heavy peices of artillery did, w^{ch} I have order'd to be immediately put on board the battoes prepar'd there for them, & transported with other military stores and part of the provisions to Oswego with that Regiment before the waters grow low. The two Companies of Sir William Pepperrell's regiment and one of the Independent Companies of New York have been some weeks at that Fort & employ'd in strengthening it & making it as defensible as the very weak state of it will admit in so short a time. Two other Companies of Pepperrell's have been several days detach'd to the Great Carrying Place near the Wood Creek in the way to Oswego, with orders to clear it of any French Indians w^{ch} may be sent to obstruct the passage of the Creek by falling great trees across it, to guard the battoes as they pass thro' it, mend the roads for the more easy conveyance of the artillery, stores, and battoes over the Carrying Place, and making the passage of the battoes thro' the narrow parts of the Creek more practicable in the difficult places. The battoes for transporting the forces have been all made and ready at Schenectady some time, together with the stores procur'd at New York and those purchas'd here, and the builders and workmen whom I have hir'd for building the vessells and boats to be employ'd on the Lake Ontario, w^{ch} must be built at Oswego, have been sent there several weeks ago, and at work upon them; so that I hope to get them upon the Lake before I leave Oswego, w^{ch} I look upon to be a point of great importance. I have procured seamen to navigate them, and the Officers appointed by the Commodore to command them are arriv'd from Virginia, and are gone with the stores for Oswego to have them rigg'd & fitted out with the utmost expedition. Part of my Regim^{t} is order'd to proceed with their baggage in battoes as soon as may be from Schenectady to Oswego, and having now set the forces for Crown Point in motion and settled the affairs of my government as much as I can before I go, I shall set out the 24th Instant for Providence and imbark on board the Province Sloop for New York, from whence I shall proceed in 24 hours after my arrival for Albany up Hudson's River with the remainder of Sir William Pepperrell's regiment now at New York and some levies of my own, w^{ch} are to join me there; & having settled every thing which remains to be determin'd between me and Colonel Johnson concerning the expedition to Crown Point under his command, & the forces to be employ'd in it, I shall pass on to Schenectady and proceed directly from thence to Oswego, with the remainder of the forces destin'd for that service; and having seen the vessells and boats to be employ'd on the Lake Ontario or at least some of them fitted out, or very near it, and gain'd what intelligence I can and the time will allow, of the situation of the French at Niagara, I shall proceed with all the forces artillery and stores there, as soon as may be.

The New England troops rais'd for the service at Nova Scotia were order'd, before I left Boston to repair thither on the 7th of April, in order to sail for the Bay of Funda, and about 2000 of them accordingly appeared there, & were imbark'd by the 22^{d} of that month, and waited for the arms from England, w^{ch} did not arrive at Boston until the 17th of May, being the day before my return thither from Virginia; the vessell in which they were sent happening to have a long passage of about ten weeks; so that the troops did not sail untill the 23^{d} of May. Their stay the last month gave me uneasiness; had I been upon the spot as there were

1000 stands of arms at Annapolis Royal and 800 might have been had here, tho' not so good as those sent from England, I should have chosen to have sent them away before; but I have reason to hope that they will succeed as it is. I have receiv'd an account, dated 15th instant from Col Lawrence, of their arrival at Scheignecto on the 2d and that he concluded from not having received any news from thence, that they were by that time masters of the Isthmus, and was of opinion the reduction of the French Fort at St Johns River would after that be an easy task, if the two French 34 Gun Frigates, wch he had intelligence were in the Bay of Funda, for the protection as he supposed of that River, should not be too hard for our sea force there, which consisted of three twenty gun ships only, and a sloop of war. The news I received here four days ago of a French squadrons being spoken with off Bank Vert near Newfoundland, full of soldiers standing for Louisbourg, gave me no small concern for the success of the expedition to Nova Scotia; but it was reliev'd in two hours by an acco^{t} of Admiral's Boscawen & Mostyn with eleven sail of the line being spoken with off S^{t} Johns River at Newfoundland nine days ago, close at the heels of the French, and having sent a letter to Cap^{t} Aldrick the Commandant there, acquainting him that they were going to cruize off Louisbourg; otherwise the stay of the New England troops here the last month, might have ruin'd the attempt for recovering the Isthmus, if not occasion'd the loss of the whole Province.

The Acts pass'd lately in the several Colonies to prevent the exportation of provisions to Louisbourg, together with the embargo in Ireland, have greatly distress'd the French at Louisbourg and the effects must be soon felt in all their settlements in North America.

A few days ago I had a letter from the General dated 20th of May from Fort Cumberland at Wills's Creek in which he complains that the inexpressible disappointm^{ts} he hath met with, hath retarded his march a month beyond the time he at first intended; but by the advices I have since received from Gov^{r} Morris and Gov^{r} Dinwiddie, I hear he hath surmounted his difficulties, and it was judg'd would proceed the beginning of this month from Fort Cumberland for the French Fort called Fort Du Quesne upon the Ohio, which is computed to be from 90 to 110 miles distance from Wills's Creek, where very possibly he may be arriv'd by this time & begun his attack, in wch I have little or no doubt in my own opinion of his succeeding, tho' it is pretty certain the French have sent a reinforcement of 900 men (100 of them regular troops) and stores, very lately either to the Ohio or Niagara, and many of their battoes have pass'd by in sight of Oswego. When I had the honor of conferring with His Excellency at Alexandria, he purpos'd to build some vessells at Presque Isle for securing the navigation of the Lake Erie; wch if effected must, together with those designed for Lake Ontario, make us masters of the Great Lakes and Ohio and the country there, untill the French can get a superior force upon those Lakes, wch it seems very difficult if not impracticable for 'em to do, when our vessells shall be cruizing upon them. I hear from Gov^{r} Morris that at the General's request he hath establish'd a magazine of Provisions in the back parts of Pennsylvania, from whence he will be easily supply'd by a new road, wch he, M^{r} Morris, is making thro' the mountains to the waters of the Ohio, and which the General proposes to him to extend to Veningo and Niagara; all wch, if executed, must be of infinite use for marching the troops to & subsisting them upon the Ohio and at Niagara from a Colony more abounding wth provisions than any at present in North America.

The General's presence and activity hath infus'd spirit into the Colonies concern'd in the attempt agst Crown Point, and by the Commission wch he hath given to Colonel Johnson for

taking upon him the management of the Indian Affairs, and the ready money he hath most opportunely advanc'd to him for engaging 'em in the English Interest, he has greatly promoted that service. The expedition to Niagara this year is wholly owing to His Excellency's proposal of it.

I am now to acknowledge, Sir, the receipt of your letters dated the 23d and 24th of Jany, and 10th of February the contents of which are answer'd in the foregoing part of this letter, except that I beg leave to observe that in the last mentioned you seem to think that the soldiers in New England are enlisted for His Majesty's service in general terms, whereas it is at present impracticable to raise any number of them without acquainting them wth the place of their immediate destination, nor will any born in these Colonies inlist to go to the Southward of Niagara, at furthest. The command under which they are to act, is likewise another very material point wth them.

I beg leave further to observe Sir, that the common fund, wch you seem to suppose to be provided by the several Governmts in the Colonies for the support of His Majesty's service will never be agreed upon by the Assemblies among themselves, tho' acknowledg'd to be necessary to all; that, and a plan of Union must be establish'd by an authority from home or neither of them will be effected; & this you will perceive by the inclos'd extract of the minutes of Council at Alexandria, is the opionion of the other Governors who were present there as well as my own. And if I might presume, Sir, to suggest my opinion further in this matter, nothing would be a firmer cement of His Majesty's colonies, or go further towards consolidating them in the support of his service & government there, and the defence of their common interests agst a foreign power, than the establishment of such a fund and a plan of Union among 'em; nor do I think they would be difficultly recd by them from the Parliament.

You will perceive, Sir, by the inclosed copies of my message to the Assembly of my own government and their message in answer to it, upon the subject of their finding provisions for mine and Sir William Pepperrell's regiments, according to the directions of Genl Braddock's inclos'd letter, and paying their Quota of the levy money for the raising of them, that they refuse to do it.

I beg leave to assure you Sir that I shall consult œconomy as much as may be consistent with His Majesty's service in the expence of the expedition under my command. I omitted to observe to you before that the reason of my being the Colonel of the two New England Regiments gone to Nova Scotia was principally for the sake of encouraging the inlistmts and saving the expence of the pay of two Colonels, having no expectation of any allowance or pay to myself in it.

I hope Sir, consideration will be had of an allowance for my necessary suite in the expedition under my command, & as the execution of the command will be attended wth an extraordinary charge to myself, especially in the rank to wch I have lately had the honour to be promoted in His Majs army, I hope His Majesty will be pleas'd to order me a proper support in it during the time of the service. The expence of my travelling charges out of my own pockett in my journey to Alexandria and back (being about 1250 miles) tho' I made use of my own horses half the way and my servants the whole, and had some horses found for me in two of the governments, exceeded £200 sterling, wch is near double the income of my Governmt to me for the time I was absent from Boston.

The inclos'd copy of the General's instructions will show you Sir, the extent of my command.

My desire of laying before you a particular state of the Colonies with regard to the operations carrying on there ag^st^ the French, and the very little appearance there is of their forming a plan of Union among themselves, as recommended by His Majesty, in one view, hath drawn this letter into a greater length than I design'd, w^ch^ I hope you will be pleas'd to excuse on that account.

I am with the greatest regard
Sir
Your most humble
and most obedient servant
W. SHIRLEY.[1]

The Right Honorable Sir Thomas
Robinson on of His Majesty's
Principal Secretaries of State.

[1] Lieutenant-General WILLIAM SHIRLEY was a native of the county of Sussex, England, and born about the year 1693. He was by profession a lawyer, and had been in office in London; but having a prospect of a numerous family, was advised to remove to Boston. He resided there some six or eight years, and had the promise of the collector's place, but strong interest having been made for another, Mr. Shirley was provided for by being appointed Governor of Massachusetts in 1741. He planned the expedition against Cape Breton in 1745, on the 31st August, of which year, he was appointed Colonel of a Regiment of Foot that was afterwards broke in 1748. He published an account of that Expedition in 1746, in "A Letter from William Shirley, Esq., Governor of Massachusetts Bay to his grace the Duke of Newcastle, with a Journal of the Siege of Louisbourgh." 8vo. Boston; and returned to England in 1749, when he was appointed one of the Commissioners for settling the boundaries on this Continent between England and France. While thus engaged, he wrote the Memorial of the English Commissaries, dated 21st of September, 1750, wherein he claimed for the English all the land east of the Penobscot, and south of the Saint Lawrence, as constituting the ancient Acadia. During his residence at Paris, he permitted himself to be captivated with the charms of his landlord's daughter, whom he privately married. This ill judged step, for a person of his age and in his position, lessened him in the regard of his superiors, and afforded his enemies an opportunity to injure him. He returned to his government of Massachusetts in 1753, and in 1754 explored the Kennebec, on which river he erected Fort Halifax, below the Waterville falls, and Fort Western, on the present site of the city of Augusta, Maine. On the approach of hostilities he was appointed Major General, 2d February, 1755, with the superintendence of operations in the Northern Colonies, although he was little skilled in war, and proceeded as far as Oswego on an expedition against Niagara, which fell through and brought disgrace on him. He was superceded in 1756, in the command of the Army, and in the government of Massachusetts; and was ordered thereupon to England where he was badly received, and experienced much difficulty in passing his accounts. Several publications in his defence appeared on his return to England; one is entitled "A Review of Military operations in North America from the commencement of the French hostilities on the frontiers of Virginia, in 1753, to the surrender of Oswego, on the 14th of August, 1756. In a letter to a Nobleman." 4to. London. 1757. It was written in New-York, it is believed by William Smith the Historian, and taken to England by William Alexander, known afterwards as the Earl of Stirling, who gave it to the Press. *Smith's New-York*. II., 225. This was followed in 1758, by "Memoirs of the principal transactions of the last war between the English and French in North America, from 1744 to the treaty of Aix la Chapelle;" and by another, entitled "The conduct of Major General Shirley, late Commander in Chief of His Majesty's Forces in North America, briefly stated." Mr. Smith says, Mr. Shirley in consequence emerged from a load of obloquy. On 30th January, 1759, he became Lieutenant-General, (*Army List;*) and "after long solicitations," says Hutchinson, obtained the small government of the Bahama Islands. He was, says Bancroft, artful, needy and ambitious; a member of the Church of England; indifferent to the laws and the peculiar faith of the people (of Massachusetts) whom he governed; appointed originally to restore or introduce British Authority, and more relied upon than any Crown officer in America. He was bitterly opposed to the Plan of the Union of the Colonies agreed upon at Albany in 1754, and as early as 1756, advised the Ministry to impose a Stamp tax in America. General Shirley eventually returned to Massachusetts and died at his seat in Roxbury, on the 24th March, 1771, (*Allen's Biographical Dictionary,*) which says, he was the author of Electra, a Tragedy, and The Birth of Hercules, a Masque, 4to. London, 1765. At the time of his decease, Mr. Shirley was at the head of the List of Lieutenant-Generals of the British Army. *Army List*. 1771 — ED.

Additional Instruction to Sir Charles Hardy.

[New-York Entries, B. P., p. 23.]

[Tho. Centuar, Hardwicke, C. Granville, P. Marlborough, C. P. S.] Additional Instruction to Sir Charles Hardy Knight Captain Gen[l] and Gov[r] in Chief in & over His Maj[ty's] prov[ce] of New York and the territories depending thereon in America; or in his absence to the Lieut[t] Gov[r], President of the Council, or Commander in Chief of the said province for the time being. Given at Whitehall the [12th] day of [August] 1755. in the 29th year of His Maj[ty's] Reign.

Whereas it has been represented unto us, that a controversy has for many Years subsisted between his Majesty's Provinces of New York & New Jersey concerning the true line of partition between the said provinces, on account of which great outrages have from time to time been committed on the Frontiers of the said provinces, to the prejudice of His Maj[ty's] service and the disturbance of the public peace, and whereas it is of the greatest importance to the tranquility and welfare of the said provinces, that a line of property and Jurisdiction should be speedily settled between them, which can only be done by a Commission to be issued by His Majesty for that purpose, with liberty to all parties who shall think themselves aggrieved by the Judgement of the Commissioners thereby to be appointed, to appeal from such Judgement to His Majesty in his privy Council; and whereas the Agent for the Proprietors of New Jersey, has declared himself willing to concurr on their behalf in this measure, as the only proper and effectual means of determining the matter in dispute, and has offered to give ample security that the said proprietors shall and will defray one half of the expence of obtaining and executing such a Commission; You are therefore hereby authorized and required earnestly to recommend it, in His Majesty's name, to the Assembly of the Province of New York, under your Govern[t], that they do make speedy and effectual provision for defraying the other moiety of the expence of obtaining and executing such commission, as aforesaid, whenever His Majesty shall be graciously pleased to issue the same.

Note. The words within brackets in the above Document, are added from the Copy in *Journal of the General Assembly of New-York*, II., 471. — Ed.

Lords of Trade to Secretary Robinson.

[Plantations General, (B. T.,) XLIII., p. 417.]

To the Right Hon[ble] Sir Thomas Robinson one of His Majesty's Principal Secretaries of State.

Sir

Having since the date of our Representation to His Majesty, with which we did in obedience to his commands, lay before him a plan of General Concert to be entered into by the several Colonies for their mutual and common defence, received several letters from His Majesty's

Governors in North America, representing the defenceless state of the frontiers, and the irregular management of Indian affairs; and it appearing to us upon a general view of these points to be highly necessary as well for the future safety of the Colonies as to ease the mother country of the great and heavy expense with which it has been of late years burthened, on account of services relative to these points, that some general system should be laid down, and some certain and permanent provision made for the defence of the Frontiers and for the management of Indian Affairs, which are in their nature constant and permanent services. To the end therefore that we may be furnished with full information upon every point necessary to be attended to, in the consideration of a question of so great extent and importance, and enabled to lay our thoughts upon it before His Majesty, whenever the circumstances of the times shall require it; we submit to you whether it may not be proper that General Braddock should be directed forthwith to consider and report his opinion in what manner the Frontiers may be best defended; what number of forts it will be necessary to erect; of what size and strength; where those forts should be situated; what number of regular troops it will be necessary to have constantly kept up in America for garrisoning them and for other necessary services; how these troops should be distributed and where stationed. And that no information may be wanting upon this matter which it is in our power to obtain we shall think it our duty to call upon such of His Majesty's Governors as are best acquainted with the general state and interest of North America for their thoughts upon this occasion; more particularly as to the manner in which these services can be best provided for with the least inconvenience and burthen to His Majesty's Subjects.

We are

Sir

Your most obedient
and most humble servants,
Dunk Halifax
J. Grenville.
T. Pelham.
J. Pitt.

Whitehall
July 16. 1755

Major-General Johnson to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 64.]

Albany. 21. July 1755

My Lords,

I went to Alexandria in Virginia to wait on His Excell^cy General Braddock. I received from and signed by him, a Warrant for the sole superintendency and management of the affairs of the Six United Nations of Indians their allies and dependents, also some Instructions relating to my conduct; I further received from him two thousand pounds sterling, part to be laid out in presents and the remainder for various other expences, which would arise from the part I was to act; besides this the General has given me an unlimited Credit upon Gov^r Shirley for what further sumes this service might call for.

Immediately upon my return home I sent Messages with Belts and Wampum thro' the several Nations, to acquaint them with my appointment, and to desire they would come down to my house with all possible dispatch; they came and herewith I transmit to your Lord^{pps} an authenticated copy of my proceedings at this meeting. Tho' I have not General Braddock's Instructions for doing this, yet I have wrote him I should take this honour upon me, and as he is at a great distance from any of our Sea-Port Towns, I doubt not but both, your Lord^{pps} and the General will approve of this method.

In the monies I have laid out, in those I shall be obliged to lay out, I have and shall be governed, by the most prudent frugality, which circumstances will admitt of; my accounts shall be kept with all possible regularity, and an undeviating integrity shall govern my whole conduct.

I think it my duty to acquaint your Lordships with the following particulars relative to the Department I am now placed in.

From the weakness of the public influence of this Colony on the confederate nations; from the superior activity, attention and artful conduct of the French, the British Interest hath been long declining amongst these Indians.

From Informations confirmed by my own observations and experience, I am convinced that several of the most leading Men in the upper Nations of this confederacy, had entered into engagements with the French, and would speedily have effected a general defection from us to them and joined the French against us, and I fear their example would have produced a total destruction of our interest amongst the confederate Nations.

I think I can now take upon me to assure your Lord^{pps} there are very few, I hope none amongst the whole confederacy, who in the present disputes between our Crown and the French, do not sincerely wish us success and are not disposed to assist our Arms. I hope in a few weeks they will demonstrate this their present temper of mind by their actions. If we continue to exert ourselves with the spirit which seem[s] at present to animate us, should be successful, and right measures are pursued with regard to Indian Affairs, I doubt not but the ambitious and deep laid schemes of the French, not only with regard to these Indians, but all those various Nations who surround the Dominion of great Brittain in America, will not only be frustrated but receive a mortal wound. True it is, that to obtain this desirable end, a great expence for perhaps some years will necessarily arise, but the alternatives in my humble opinion most glaringly deserve it, and the beneficial consequences will abundantly repay it.

Three things appear to me necessary to be put in execution with all convenient speed, & which I humbly recommend to your Lord^{pps} attention.

First: that the complaints of the Indians respecting their lands, be taken into a speedy and impartial consideration, and a final determination made therein. They have often and warmly applyed to Governors here, but met with no redress. Some very powerful and wealthy people in this Province are I believe concerned in these complaints. The two Patents which the Indians lay most to heart, are: Cayaderossoras and the Connojohery Patent, and till Justice is done them therein, I am convinced they will think themselves oppressed and I fear with some reason. I apprehend the common powers of a Gov^{r} merely as such, are not equal to this affair. I hope your Lord^{pps} wisdom will fall upon some happy method to terminate by sufficient Authority these perplexing matters, which when the time grow more calm, will, if not remedied, be of fatal consequence. I gave the Indians my promise (speaking after their manner) that I would write to the King their Father on these complaints, and that I did not doubt but he would do them Justice, and this they depend on.

The Second particular which I would humbly recommend to your Lord^{pps} attention is: To build wooden Forts at the Chief residing place of each Nation who can be prevailed on to admit it; to keep each of them garrisoned with at least a Lieut^{ts} Party; that the Officer be judiciously chosen, laid under certain restrictions, and that to both, Officers & Men by encreasing their Pay or by some other methods, it be made an eligible duty.

Thirdly: That a provision be made for Gunsmiths or armourers, to reside at each of the said Forts, that a warehouse of such commodities, Rum excepted, as Indians are in the most constant want of, be kept in or near said Forts, to be sold under proper regulations by persons understanding their language, who may also act as residents and Interpreters, accountable to the Supperintendant of Indian Affairs, and to be by him authorized, and that no other person or persons do presume to interfere in the said business.

My unwillingness to press upon Your Lord^{pps} patience, and the call of the public upon me at this interesting juncture, will not permit me to enlarge further upon these hints, to which I beg leave to add, the securing the Navigation of Lake Erie and Lake Ontario, both which I am glad to find are now on foot.

Since my public transactions I have had a private conference with some Indians who tell me, their chief reasons against going to General Braddock's assistance, are, that as they doubt not Gov^{r} Dinwiddies Influence over those Southern Nations of Indians who live on the back of Virginia, will procure their assistance to M^{r} Braddock, and that if those and they were to meet together, as a good understanding does not at present subsist between them, some Broils might arise, fatal to themselves, and very disserviceable to our Cause. I have advised General Braddock hereof.

Gov^{r} Shirley will, I make no doubt find as many Indians at and about Oswego as he will want. In my humble opinion, his safety does not require any in his way up thither as it lays thro' their several Countrys. The Indians were of the same opinion as are most persons whom I have heard speak on the subject.

I expect upwards of 300 will join me in my March towards Crown Point. The Colonies have made a provision only for 300. and that not sufficient in many articles.

I have endeavoured to do my duty in the station I am placed with regard to the Indian affairs, to the utmost of my abilities. I have neither spared myself Day or night, and have indeed greatly injured my health by it; I shall however rejoice if my conduct meets with your Lord^{pps} approbation, and that I may thereby be honoured with his Maj^{tys} gracious acceptance of my duty and faithfullness:

My Lords, Justice and Truth, call on me to acknowledge, the faithfullness, diligence and capacity of the Secretary for Indian Affairs in the execution of his Office, he has at present but about £60 sterl^{g} per annum without any perquisites—I am—My Lords. ettc.

W^{m} JOHNSON.[1]

[1] Colonel JOHNSON was appointed Major-General in the Provincial army by Commission, bearing date 16th April, 1755. *New-York Documeatary History*, II., 651. — ED.

Conference between Major-General Johnson and the Indians.

[New-York Papers, Bundle Kk., No. 65.]

The proceedings of the Hon^{ble} W^{m} Johnson Esq^{re}, sole Superintendent of Indian Affairs with Nine confederate Nations of Indians, at a public meeting held at Mount Johnson in the Province of New York.

Names of the Nine Nations.

Senecas
Cayouges
Oneidas
Tuscarores
Onondages
Tiederigroenes
Schanadarighroenes
Delawares & Aughquages
Upper & Lower Mohawks

} In all 1106 Men Women and Children of which a greater number of Men than were ever before known at any public Meeting.

Mount Johnson, Saturday the 21. June 1755. P. M.

Present—The Hon^{ble} William Johnson.
The Rev^{d} M^{r} Ogilvie Indian Missionary
Peter Wraxall Secr: for Indian Affairs
M^{r} Daniel Clause, Arent Stevens, William Printup, and Jacobus Clement Interpreters.
M^{r} Ferrall, Cap^{tn} Stoddert, Capt^{n} Butler and several other persons attending.

The Hon^{ble} W^{m} Johnson's first public speech to the Indians.

N B. This speech was translated and wrote in the Indian language by M^{r} Daniel Clause, a German Gentleman of education who hath lived for sometime amongst the Indians of the upper Mohawk Castle in order to make himself master of their language, herein he was assisted by the other Interpreters under the inspection of Coll: Johnson. Before it was delivered in public it was read in Indian to two chief Sachims and Eminent speakers of the Onondaga and Onejda Nations, and was afterwards spoken to the whole Body of Indians with their consent and approbation, by the Onondaga Sachem called Red Head who was prompted by the Onejda Sachem to whom M^{r} Clause read the speech with a low voice paragraph by paragraph, Colonel Johnson having first read it aloud to all present in English.

Brethren of the Confederate Nations here present.

With this string of Wampum I wipe away all tears from your eyes, and clear your throats, that we may cheerfully look one another in the face and that you may at this meeting attend and speake without constraint. (a string of Wam:).

Bretheren, I have been lately at Virginia where I went in company with the Governors of Boston, of New York, of Pensylvania and Maryland to wait on his Excellency General Braddock (a great Warriour) whom our Father the King of England hath sent over to this

continent with a large number of armed Men, great Guns and other Implements of war, to protect you and all his other subjects within these his Dominions from the Insults and encroachments of the French.

With this Great Man we met the Governor of Virginia and another great warriour, who commands all the King's ships in these parts of the World.

At this meeting a great Council was held, many important affairs were considered and agreed upon, amongst which, the welfare and interest of you our Brethren bore no small part and I assure you were seriously considered. By this string of Wampum I confirm the truth of this account. (gave a large string of Wam^{m}).

Brethren. The tree, which in your publick speeches and private applications to me, you have so often and so earnestly desired might be again set up, is now raised and fixed in the earth by so powerful a hand, that its roots will take a firm and deep footing, and its branches be a comfortable and extensive shade for you and all your allies to take shelter under it. For I now acquaint you that the Great King your Father, hath granted your request, and that conformable to His Instructions to General Braddock, I am appointed to the sole management and superintendency of all affairs relating to you and your Allies which may be transacted in these parts. And by this Belt I now invite you and all your Allies to come and sit under this tree where you may freely open your hearts and get all your wounds healed.

(gave a Belt of Wampum).

I do Bretheren, at the same time remove the Embers which remained at Albany and rekindle the Fire of Council and Friendship at this Place; and this Fire I shall make of such wood as will give the clearest light and greatest warmth, and I hope it will prove comfortable and useful to all such as will come and light their pipes at it, and dazzle and scortch all those, who are or may be Enemies to it. I expect Bretheren that you will on your parts increase the Lustre and benefits of this Fire, by keeping it dressed up and attending it with that diligent zeal, as may render it not only a blessing to yourselves but to your posterity. To obtain and secure these salutary ends, it will be absolutely necessary for you, totally to extinguish all other deceitful and unnatural fires which are made up to mislead and in the end destroy both you and yours; to confirm and enforce your compliance with what I have now said on this subject I give you this Belt. (gave a Belt of Wampum).

Bretheren, With this string of Wampum I make this Council Room clean and free from everything offensive, and I hope that you will take care that no Snake may creep in amongst us or any thing which may obstruct our harmony (gave a string of Wampum).

Brethren. I must admonish and exhort you, that you will at all times, but more especially at this important conjuncture, pluck from your hearts, and cast away all discord, jealousies and misunderstandings which may subsist amongst you, or which any evil spirit may endeavour to raise in your hearts — Consult together with that love and confidence which becomes Bretheren — Let your general interest be the desire, and above all things engage the attention of every particular Man amongst you. Unity amongst Brethren is the best & surest defence against every Enemy. Brothers joined together with love and confidence are like a great Bundle of sticks which can not be broke whilst they are bound together, but when separated from each other, a Child may breake them. (here a bundle of sticks bound together were delivered by Coll: Johnson to the Speaker who with a very lively action and in an animated

manner exemplified the Metaphor, and gave the Bundle of Sticks to a Sachem on the Front Bench—Upon this a universal Shout of applause was given) so will it be with you—if you keep in Union and love with one another, You will be strong and your Enemies can not hurt you—but if you are inflamed and divided by jealousies and mistrust, you may be easily destroyed. To fix in your hearts and to render this advice which I have given you effectual, I strengthen it with this Belt of Wampum (Gave a Belt).

Bretheren, I have a speech to give you from His Excell[cy] General Braddock and some presents which the great King your Father hath sent you by that Warrior. I shall deliver you this speech with another of my own the day after tomorrow. And as what I shall then say will be of the greatest importance to you all, I desire that none will absent themselves either Men, Women or Children.

The Coll: then told them he had done for this time.—

A few minutes afterwards the Great Sachem of the Mohawk Nation rose up and said.

Brother. We return you our most grateful acknowledgements for the speech you have made to us, and also for the promise of the further speeches you mention; and for the present we take our leave of you.

Mount Johnson 23. June 1755

The Sachims having this morning sent notice to Coll: Johnson that they proposed making their reply to his speech of the 21. inst: he consented to put off delivering them General Braddock's speech and his own till tomorrow P. M.

PRESENT—The Hon[ble] William Johnson.
The Rev[d] M[r] Ogilvie the Missionary
Peter Wraxall Secr: & the Interpreters as before.
Lieut[t] Butler, those formerly mentioned and many other persons of the neighbourhood attending.

Hendrick the Mohawk Sachim first rose up and said:

Brother Wariaghejaghe (Coll: Johnson's Indian Name). The Confederate Nations are now ready to make their reply to your speech to them on last Saturday; are you prepared and disposed to hear what we have to say?

Collonel Johnson told them, he was.

Hendrick then rose up again and addressing himself to the Indians said:

Brother Sachims and You Warrior my children!

We are now assembled to reply to our Brother Wariaghejaghe. I will therefore acquaint you with the method, which has alwa[y]s been observed by our Forefathers on these occasions.

The Mohawks, the Onondagas and the Senecas being the Elder Brothers of the confederacy, the Speaker at all public times, was chosen out of one or other of those Nations, nor was any preference given to either of the three, from whichever of them a speaker was chosen, there was no fear but every thing would be regularly conducted; and I give you notice that our Brother Kaghswughtioni (alias Red Head) an Onondaga Sachim is chosen for our speaker at this meeting. You Warrior and young Men take notice and remember this Custom.—[A

great Council of the Sachims & Chief Warriors of all the Nations had been held upon this Reply the whole morning and Hendrick was nominated for their speaker but he declined it and proposed Kaghswughtioni which was at last agreed to. This Kaghswughtioni for some years past had been very much in the French Interest but by Coll: Johnson's influence had been shaken in his attachment towards them, and the Coll: had now brought him quite over to ours]. Kaghswughtioni then rose up and addressed himself to Coll: Johnson and said as follows:

Brother Wariaghejage sole Superintendent of our Affairs, and all you who are here present attend to what I am going to say.

We the Confederate Nations now Assembled do by this String of Wampum return you our Brotherly thanks for the ceremony of wiping away our Tears ettc:—We do the same to you for every cause of grief you may have had and we also clear your throat and Heart that you may speake to us with an unconstrained freedom. We condole with our Brethren the English for all the Blood which hath been spilt by the French and all other Enemies.

(gave a string of Wampum)

Brother. If we are deficient in any manner of form or should forget to answer in a particular manner any part of your speech, we hope you will excuse us. We only depend upon our Memories and cannot have recourse as you may to any written records.

Brother. We take very kindly, and thank you for the relation you have given us of your Journey to Virginia and what passed at the Great Council there, and we are thankful to the great King our Father for sending over Gen[l] Braddock with so many of his warriors and great Guns to secure our Lands from the encroachments of the French

(gave a string of Wampum).

Brother. We were grieved and distressed whilst the Tree lay down. We are with the utmost gratitude, sensible of the King our Father's goodness and kindness towards us in granting our request, which was made from the bottom of our hearts, to have it raised up again. We are universally rejoiced to see this Tree replanted and that in so strong a manner; we hope it will be nourished by refreshing streams, that it may grow up as high as the heavens, and be proof against every envious wind; that it[s] branches may be large and numerous enough to afford sufficient shelter for us and all our Brethren, to come and consult under it; and that our Children's Children may bless the hand that planted it. (gave a Belt).

Brother. We have been long in darkness, and we are extreamly obliged to the King our Father, for now restoring us to that clear and comfortable light which in old times cheared our Forefathers, by appointing You to the sole Management of our affairs, who have always treaded us kindly and honestly and whom we look upon as our own flesh and Blood. You last year to our great satisfaction made up the Fire at Onondaga of such wood as will never burn out. As to the Fire at Albany it was so low and so bad, that we could not find even a spark to light a pipe at it, & we can not express our joy, that here we shall now have a fire that will answer every purpose we wish for, and that it will never be extinguished. We look on you Brother, as the King our Fathers representative and that we are under your direction and disposal, and the fire you have kindled here, as well as that at Onondaga, we will cherish, and all other fires we thus kick away (here the Speaker kicked with his foot) as unnatural and hateful to us.—[The Speaker then presented a Belt of Wampum to Coll: Johnson and made three low bows and all the Indians gave a shout.]

Brother. We are much obliged to you for renewing our ancient forms. You have Records of these things, and we thank you for puting us in mind of them by clearing this Council place; and we assure you we will on our parts endeavour to keep it clean and free from every thing that may be hurtful or unfriendly. (gave a string of Wampum).

Brother. We are extremely thankful to you for conveying your good advice to us to be sincerely and affectionately United together, in so expressive a manner as you did by this bundle of sticks. It hath warmed our hearts, and we are sensible that divided, we shall be like this single stick easily broken and destroyed, and we are determined to support that strickt union which rendered our Forefathers formidable and happy.

(gave a Belt of Wampum).

Here the Speaker made a bow and sat down.

The Chief Sachim of Oneida then rose up and addressing himself to the Mohawks, Onondagas and Senecas, and said:

Fathers and Elder Brothers.

We acquaint you that as one of our Sachims called Connochquisie is dead we raise up this Boy (presenting one) in his room and give him the same Name. Then he addressed himself to Coll: Johnson and said the same unto him and gave him a String of Wampum. Coll: Johnson took the Lad by the hand, and said he was pleased with the appointment, and desired the Sachems of that Nation, to introduce him to morrow morning and he would cloath him as usual. — Coll: Johnson then returned the Assembly his thanks for their respectful and affectionate answer to his speech; and having given him notice by one of the Sachims to attend to-morrow, great and small to hear what he had further to say to them, and that two Cannon would be fired as a signal; the Colonel then withdrew and the Assembly broke up.

Mount Johnson 25 June 1755.

This morning Coll: Johnson examined the two Onondaga Indians whom he dispatched the 15th ult° to Cadarachqui for intelligence. They arrived here some days ago, but there was no time to examine them till this morning.

PRESENT — Peter Wraxall Secr: — Arent Stevens interpreter.

The Chief Man of the said two Indians says: That at the Falls of Oswegoe River he met an Indian who had lived at the new French settlement of Sweegachie which is below Cadarachqui on the River S^t Lawrence and had left it about 8 or 10 days before; that he sat down and entered into conversation with him and thereby learnt the following particulars:

That he and the other Indians of the Six Nations whom the French had drawn away to settle at Sweegachie were obliged to break up their settlement there for want of provisions, for that all was given away to and consumed by the Troops, which Marched that way to the Ohio and that the Priest who was settled at Sweegachie had left that place.

That he told him 1200. Troops had gone by this spring to the Ohio but there were very few Troops kept in garrison at Cadarachqui Fort, and that all the Troops go from Niagara to the Ohio.

He told him there was another Indian whom he expected to come along, and if he would wait he might have more news from him. He did, and the second Indian came up to them. This Indian confirmed what the other said, and added that 800 more Troops had passed Sweegachie since the above mentioned 1200 bound also for Ohio. That at Cadarachqui Fort there used commonly to be but 4. Cannon but that there were now 15. that the walls were about two foot and a half thick, he shewed it with a stick. That the Gov^{r} of Canada had insisted upon each of the Castles of Indians settled round about Canada to give him ten warriors a piece to go to Ohio, & ten also from Sweegachie; but that the Indians were displeased at the demand and with the warlike proceedings at Ohio, that it was with great difficulty the Gov^{r} of Canada could prevail on the Indians to grant him any warriors, but at length he obtained five from each Castle and had the same number from Sweegachie.

That the French Officer at Cadaraghqui had asked him if the Fort at Oswego was a strong one, he told him it was, the Officer said: no, it is not, I can push it down with a stick.

He likewise told him all the Indians were leaving the settlement of Sweegachie for want of provisions. Our Indians having gained this Intelligence thought it unnecessary to go to Cadarachqui themselves & so returned.—

Last night the scouting party sent the 7. inst: to spy at Crown Point returned, and say they could make no discoveries, that all seemes very still there, and that they did not see even a Centinell at the gate.

Mount Johnson 24. June 1755. P. M.

The Honb^{le} William Johnson's second speech to the Sachems and Warriors of the Confederate Nations.

PRESENT— The Honb^{le} William Johnson
The Rev^{d} M^{r} Ogilvie Missionary.
Peter Wraxall secretary for Indian Affairs.
The Interpreters as before.
Most of the persons who attended yesterday ettc:

The same methods were taken with this speech which are notifyed at the Coll's first Speech only that Hendrick the Mohawk sachem was joined with the Onondaga and Onejda Sachems and all three divided the delivery of it between them. The Secretary for Indian Affairs read it first aloud in English by Coll: Johnson's Orders.

N B. Coll: Johnson had designed to have delivered General Braddocks speech before he did this, but he afterwards judged *this* would be a proper introduction to *that*, and the Sachems he consulted and who assisted in speaking this speech told him, it would be more adviseable to prepare the Indians for General Braddock's speech, by giving them the first.

Bretheren Sachems and Warriours of the Confederate Nations here present.—With this string of Wampum I pick your ears and I desire you will give the most serious attention to all I shall now say to you (gave a string of Wampum)

Behold Bretheren these great Books [Four folio Volumes of the Records of Indian Affairs which lay upon the Table before the Colonel] They are Records of the many solemn Treaties and the various transactions which have passed between your Forefathers and your Bretheren

the English, also between many of you here present and us your Bretheren now living.—You well know and these Books testifie that it is now almost 100 years since your Forefathers and ours became known to each other.—That upon our first acquaintance we shook hands and finding we should be useful to one another, entered into a covenant of Brotherly love and mutual friendship.—And tho' we were at first only tied together by a Rope, yet lest this Rope should grow Rotten and break, we tied ourselves together by an iron Chain—lest time and accident might rust and destroy this Chain of iron, we afterwards made one of Silver; the strength and brightness of which would but eject to no decay[1]—The ends of this Silver chain we fixt to the immoveable mountains, and this in so firm a manner, that the hands of no mortal Enemy might be able to remove it. All this my Bretheren you know to be Truth; you know also that this Covenant Chain of love and friendship, was the dread and envy of all your Enemies and ours, that by keeping it bright and unbroken, we have never spilt in anger one drop of each other's blood to this day.—You well know also that from the beginning to this time we have almost every year strengthened and brightened this Covenant Chain in the most publick & solemn manner. You know that we became as one body, one blood and one people, the same King our common Father, that your Enemies were ours, that whom you took into your Alliance and allowed to put their hands into this Covenant Chain as Brethren, we have always considered and treated as such.

Bretheren. You know also, that from the beginning the French were your declared and most cruel Enemies—Did they not stir up and join the surrounding Nations of Indians to oppress and cut you off from the face of the Earth? did they not cruelly and treacherously drive your Forefathers from their ancient habitations, and obliged them to remove to where you are now settled? did they not still continue their Devilish and Blood thirsty Enmity against you, and endeavour many and many times to burn these your settlements and destroy your Men, Women and Children? did not your Bretheren the English in these times of your distress, support and assist you with arms & amunition? And when by our Union we have become strong, did we not go out to war with you against the French and their Indians, bring off a great Number of prisoners and Scalps, and make all the French in Canada tremble? did not the French find that by your entering into a Covenant Chain with us, you were become so strong and powerful, that they could not destroy you by open force? did they not then make peace with you and pretend a friendship for you? but were they faithful and sincere to these professions? no, did they not talk of peace with their Lips when war was in their hearts? did they not smile on you when they had the Hatchet in their bosoms? did they not under the professions of friendship, betray, deceive, and murder you at Cadarachqui? did they not make war on and kill you at the Senecas, the Onondagas, the Oneidas and the Mohawks? do not the bones of your Forefathers remain a testimony of it to this day and call on you, their children, ever to mistrust the fair speeches of the French and to revenge their foul deeds? did they not impose on your good nature and confidence, when they begged your leave to build small houses at Cadarachqui, Niagara and Crown Point upon your lands, and instead thereof build Forts and put soldiers therein contrary to your inclinations and their agreement with you? and in order to secure yourselves from their treacherous encroachments, did you not put all your lands under the protection and dominion of the Great King of England your Father, by a solemn deed in writing signed by your great Men of each Nation, and which the books now before me testifie? did not the French afterwards delude some of you and partly

[1] *Sic.* Qu? would be subject to no decay.—Ed.

by art, and partly by force, build a strong House even at your Castle at Onondaga? and did not the Great Quieder come up, pull it down and burned it to the ground, and to your great joy drive the French Men away?

I should never make an end, if I were to relate to you, how often and how much of your blood the French have spilt—how frequently they have deceived and endeavoured by their wicked lies and abominable Arts, to make you suspicious of us your Bretheren, and to prevail on you to breake the Covenant Chain of Your Forefathers; when these base methods would not fully succeed, have they not often and that lately, like Devils in the shape of Men, poisoned some of your wisest Sachems and greatest warriors who were the best friends to your Bretheren the English? did they not six years ago, send a body of armed Men under the Command of Monsr Celleron, to surprise and cut off your Bretheren at the Ohio, which they would in all probability have succeeded in, had I not prevented it, by giving them timely notice of their danger? have they not absolutely taken possession of your best Hunting grounds at Ohio and built Forts thereon, contrary to your inclinations, as you have often declared to me?

Thus have in the shortest manner I was able, rehearsed to you some of the chief matters which have passed in old times and in these our days, between you and your Bretheren the English; also the behaviour of your ancient and most bloody Enemies the French, who are in their hearts still the same, whatever they may profess with their lips. I know that most of these things have been handed down to you by your Forefathers, and that many of your Sachems here present, can in a great measure witness the truth of them. However, I thought it necessary at this important time, to give you this general relation, that your young people may put it into their hearts, and I give you this Belt of Wampum as a testimony that what I have told you is truth and fact (gave a Belt).

And now my Bretheren, I ask you, and I desire every Man present to put his hand on his heart and ask himself seriously this question: *who have been, who are the Friends and bretheren of the Five Confederate Nations and their Allies? the English or the French?* Does it require any time to consider? does it require any argument to determine? if you can be one moment in doubt, I must tell you, you will not act like the Children of those Brave & honest Men, whom you call your Forefathers, but like French Men in the shape of the Five Nations. Are you indeed our Brethren? Are you the Children of our ancient friends and brothers? Are you those Sachems and Warriors of the Five Confederate Nations, whom the Great King of England, the best and most upright Prince in the world, loves and honours as his Wise, his Warlike and dutiful Children? Are you the Bretheren of the English? Are you my Brothers also? I hope you are, and if so, I am sure you can not in your hearts deny, but that the English have ever been, still are, and while you remain true to your solemn engagements and keep the Covenant Chain unbroken, I assure you will ever be, your affectionate Bretheren & steady friends; And that on the other hand, the French have been and still are in their hearts, Enemies whom you are at all times bound to suspect & detest.

Thus I am sure you ought to think, and I am persuaded do think. Be Men therefore, and be neither affraid nor ashamed, with one United voice to make an honest and open profession thereof. I call on you by this large Belt of Wampum (gave a large belt of Wampum).

Bretheren. Whatever Reports the French may artfully spread amongst you to alarm & excite jealousies in you against the English your Ancient Bretheren, your sincere Friends and Faithfull Allies, believe me they are false, raised only to ruin and enslave you, to establish

their own power, and then execute upon you & yours that malice and hatred which they now keep concealed. Be wise then my Bretheren and in order to remove from you any jealousies which those vile lies and abominable arts of our Enemies the French may make you harbour against your Bretheren the English—I call *that Almighty Spirit above to witness, who made us all, and knows our hearts, who created the sun which shines upon us, and in whose hands are the Thunder and Lightning, That we your Bretheren have no ill designs whatsoever against you.* [The French have lately propagated amongst our Indians that the English intend to environ and cut them off, and as the present armaments without any formal declaration of War have raised the attention and caused some serious surprise in the Indians, they, who are naturally suspicious have been much affected by these Reports. Colonel Johnson therefore thought it necessary to make the above declaration in such solemn terms, thinking it would be the most effectual method to prevent hereafter the influence of these base & pernicious reports of the French from having the effects they propose, and to establish the confidence of the Indians in our Integrity] If you will stand by and uphold the Covenant Chain of Your Forefathers—if you will continue to be dutiful & faithful children to the great King of England your Father, if you will be true Brothers to the English, and neither enter into any underhand engagements with the French, or into any Treaties with them against your Bretheren the English, If you will do this with sincerety and keep it truly and honestly—I am now ready with this Belt in the Great King Your Father's Name, to renew, to make more strong and bright than ever the Covenant Chain of love and friendship, between all the English upon this Continent and you the Confederate Nations here present, your Allies and Dependants. And that it be now agreed between us, that those who are Friends or Enemies to the English, shall be considered as such by the said Confederate Nations their Allies and Dependents, and that your Friends and Enemies shall be ours. (Here the Union Belt was given).

Bretheren. It is not that the English are affraid of the French or any of their Enemies, that I make you this offer; it is because your Father the Great King of England loves and honours the memory of your Forefathers, and is inclined to treat you, their Children, as his Children, provided you will be as dutiful and faithful as they were. He is willing and he is able to protect, you, your wives and Children from the power and Enmity of the French. And he is determined to drive all the Frenchmen into their Country of Canada, for which purpose his Warriors are now gathered together with their swords in their hands, his great guns are loaded and all his warlike instruments are sharpened and ready. If you will therefore be so wanting to your own interest, as to join with the Enemies, or will refuse to go to war with your Father and Bretheren, you will draw upon your own heads the fatal consequence of your wickedness and your folly—If you have any regard for, if you have that confidence I have reason to expect in me your Brother and friend, for whom you have always expressed an affection and who, you know has never deceived you—hearken to my advice—I love you and speake for your good—*Stand by your Bretheren the English*—dont break your Covenant Chain with them, let not the French boastings or lies deceive you. The English have indeed been long asleep, but now, they are thoroughly awake; they are slow to spill blood, but when they begin, they are like an angry Wolf, and the French will fly before them like Deer. Now is your time, Brothers to chose, which side you will be of; if you are wise you want but little time to determine, but upon this determination depends the future happiness of yourselves, your Wives & children after you.

Bretheren, Here is a speech I received a few days ago from our Brother Schaaoradjady in answer to one I some time ago sent him and which I shall now read to you: viz^{t}:

Fort Cumberland 15 May 1755.

Brother. This day I received a speech delivered me by George Croghan in your name. I have been here these four days waiting on the General with all the Warriors I had at George Croghan's house, he himself came in company with us.

Brother. I am glad to hear our Father the King of England has appointed you to take care of the Indians. You are well known to us and a Man we can trust. I answer you that I and all my people here will heartily join the General and go with him to fight the French, and I hope you will send what warriors you can spare to join us and we assure you we shall always be ready, and to confirm what we now say to you we present you this Belt of Wampum.

(Gave a Belt).

Now Bretheren. After all I have said and when you see by this speech, that our Bretheren to the Southward have joined General Braddock, and determined to go with him and fight the French, and when I tell you also that by this letter which I received at the same time from M^{r} Croghan who is likewise with General Braddock, that great numbers of other Indians are daily expected at the Camp with the same intentions. I say after all these things, if you our Bretheren whose courage and Bravery are known far and near, and from whom we have a right to expect the warmest Zeal towards us, should on this great occasion show yourselves cool and inactive; shall not we have reason to think, will not the surrounding Nations believe either that you lost your ancient Bravery, or that the Covenant Chain of friendship and alliance no longer exists between the English Nation and you.—I am ordered to go myself with a considerable number of your Bretheren from the neighbouring Provinces over whom I am appointed to the Chief Command with great guns and other implements of war, to drive the French from their encroachments on your hunting grounds in this Province; if you will be dutiful to the King your Father, if you will be faithful to your Bretheren the English, if you will treat me as your Brother, Go with me. My war kettle is on the Fire, my Canoe is ready to put in the water, my Gun is loaded, my sword by my side, and my Ax is sharpened. I desire and expect you will now take up the Hatchet and join us, your Bretheren against all our Enemies. Bretheren. I well know the Coghnawagas are as your own flesh & blood. We look upon them at present as our Brethern also, and to convince you, how tender I am of every one who belongs to you, I promise you, I will take every method in my power to make the Coghnawagas sensible of their true Interest on the present occasion, and to prevent if I possibly can, one drop of their blood from being spilt by us; and to obtain this desirable end, I make no doubt you will lend me your assistance; but if neither your endeavours nor mine will perswade them to get out of the way of mischief, they must take what follows. I will treat those who go with me as Bretheren, and in their absence take care and support the Old Men, the women and Children who belong to them. Dont you already see the King your Father is resolved to secure you and your Country by sending his Troops to Oswego, and many more are getting ready to go there, so that if the French should attempt your destruction, we shall be between you and them and stand their warmest attacks. If after all these friendly exhortations and sincere promises made to you, you should be still obstinate and blind to your own Interest, I am determined to demit the management of your affairs entirely and leave this Country. ,,

By this large Belt therefore I call on you to raise up like honest and Brave Men and join your Bretheren and me against our common Enemy and by it I confirm the assurances I have given you.—(Hereupon Coll: Johnson himself presented the War Belt to Abraham a Chief Sachem of the upper Mohawk Castle.)

When the Speech was ended Coll: Johnson told them that as it was a very long one and contained several matters of great consequence at this important time. He desired they would appoint a deputation from each Nation to go now up stairs with him, where the speech should be again read over to them that it might be fully imprinted on their memories.

They accordingly appointed their deputies and M^r Clause read it over and was assisted by the Interpreters and some Sachems in the pronunciation, and they said they now had it perfectly.

Coll: Johnson gave notice that to-morrow, he would deliver them General Braddocks speech.

And then this days conference broke up:

Mount Johnson. 25 June 1755. P. M.

PRESENT—as yesterday.

The same method was made use of in translating and delivering the following speech as is mentioned to have been observed in Coll: Johnson's two former speeches.—This speech was spoke wholly by Kaghswughtioni the Onondaga Sachem, prompted by Hendrick the Mohawk Sachem.

All being seated and ready, Hendrick by Coll: Johnson's directions said:

Brethren and Warriors of the Confederate Nations: Attend to the speech of his Excell^cy General Braddock.

The speech was first read in English by the Secretary for Indian Affairs.

To the Sachems, Warriors and Great Men of the Six Nations.

The speech of his Excell^cy Edward Braddock Esq^re General and Commander in Chief of all His Britanic Majesty's forces in North America.

Brothers. His Maj^ty the Great King of England our Father being absolutely determined to punish with the utmost severity Our and your Enemies the French, who have unjustly invaded his frontiers and your Hunting grounds contrary to your consent and have committed great hostilities against you and your Bretheren the English inhabiting these Colonies for many years, all which is very well known to you; and also to chastize those Indians who have dared to take up the Hatchet and to join with the King our Father's Enemies, who are too treacherous to be confided in, and too weak to support them, has therefore sent me with a very large Force of Men and all kinds of warlike instruments from England, to recover his own Dominions and your possessions and to drive these Invaders for ever from you.

I send this by Coll: Johnson one of my officers to whom I have committed the sole management of all Affairs, between our Father the King and Your, and what he is going to say to you I desire you to receive as my own words. In confirmation thereof I give you a Belt of Wampum (Gave a Belt).

Brothers. You are very sensible of the great friendship and affection which has subsisted between the English and your Nations, for many generations, and that the French by their

unjust invasions of your lands, and cruel behaviour to you and Your Bretheren, the English, are endeavouring all in their power to make a Breach between us and you and to rust the Chain which till now remained clear and which I am determined to brighten in hopes it will continue so while the sun and Moon gives light (Gave a Belt).

Brother Sachems & Warriors of the Six Nations.

Remember and take notice, that I now desire, you will immediately take up the Hatchet against the French and their Indians, and that with a fixed resolution, to join us against our common Enemy, agreable to the usual Custom of your Ancestors, which will be very agreable to our Father the King, and you may be assured I shall represent your Conduct at this time in its proper light. (Gave a Belt of Wampum)

The French our common Enemy on the other side the great Lake, much alarmed at the armament sent from England under my Command to your assistance, were preparing to send a considerable Force to Canada, to assist your Enemies there, but the King our Father has prevented their attempts, by sending out some of his large ships of war, and blocking them up in their Ports. During the time I command the King our Father's Forces on this Continent, you may assuredly depend on my assistance and brotherly protection, and its expected on your parts, that you will, with the spirit and activity, so well known to be your Characters, not hesitate, but exert yourselves & immediately declare against the French & join your Brothers and old friends the English. (gave a very large Belt of Wampum).

The Amity and Friendship now proposed, I doubt not will continue while the mountains remain and the Rivers run.

In confirmation of all the above, I present you with a Belt of Wampum.

E. Braddock.

N. B. The paragraph which begins with: "Remember and take notice" was at the delivery of the speech spoke last (as the War Belt is always given at the conclusion of a speech) when Coll: Johnson threw down the War Belt in General Braddock's name, it was taken up by an Onejda Sachem, when Arent Stevens the Interpreter began the War dance for General Braddock, he then danced one for Coll: Johnson, to both which the Sachems bore the usual Chorus.

Coll: Johnson then ordered a large Tub of punch out, for, to drink the King's health.

After which the Assembly broke up.

Mount Johnson the 26, June 1755.

This afternoon Ottrowana a Great Sachem and Warrior of the Cajuga Nation arrived with 19 more of his people; with his also came Nockkie a Great Sachem of a Castle called the Missisagaes who lived on the North side of Lake Ontario, and belong to the Chippewyse Confederacy which chiefly dwell about the Lake Missilinianac & are a very numerous people allies of the Six Nations. He says the French have deterred all his Countrymen from coming to Trade at Oswego by telling him they would be cutt of, but that he was determined to come and proceed to Colonel Johnson's fire, that he is very glad, he is now here.

The Coll: told him he was welcome and desired he would acquaint his Nation, with what he would see and hear, and, that he would be glad at all times to see any of his Countrymen who should be well used.

Mount Johnson 28 June 1755. A. M.

Ottrowana the Cayouga Sachem who arrived here 26th inst: sent word that he and the Mississaga Sachem desired a Conference with Coll: Johnson, they were accordingly admitted.

Ottrowana spoke as follows:

Brother. The Mississaga Sachem now present is sent from four Castles of that Nation who are Allies of the Six Nations, and as I am myself a sincere friend of the English, I think our general interest will be strengthened by securing and improving an Alliance with the said Castles.

Brother. I must desire that this Delegate, my friend may be kindly used as his report when he returns home will be of great consequence to our common interest, and that you would send a Belt or Belts by him to his Countrymen, in which the Six Nations will join you. He is for his part determined not to join the French, and his said four Castles have sent him to acquaint you, that they are of the same mind.

Brother. When I heard, that you had no longer the management of Indian Affairs, I did not think it worth my while to come down, but as soon as I heard, you had again taken up the direction of them and sent for the Six Nations, I came away with my people, and we were hindered by wind and weather from being here, when you spoke to the Confederate Nations, however I have since been informed of all you have said to them, and when they have by and by given you their answer, I propose to talk a little more with you in private.

Coll: Johnson replyed:

Brother. As you propose to have another conference with me, I will defer any further conversation with you upon what you have now said till then; in the mean time, I hope, you will in Council, and particularly with your Nation, who, I am sorry to find, are a little backward, act according to the declaration of Friendship you have just now made.

Mount Johnson 28 June 1755

PRESENT—Coll: Johnson, Peter Wraxall Secretary, Arent Stevens and Jacobus Clement Interpreters.
Principal Sachems of the Mohawks, Onondagas & Senecas.

Brother. We are very uneasy lest you should be displeased at our so long delaying to give you an answer to the matters you have laid before us in your's and General Braddock's speech, and we are come to acquaint you that it is not our faults, for we three Nations are agreed, & think, you have desired nothing but what is very reasonable, and does not require so much time to determine; but the leading Men of the other Nations when we thought to have come to a general conclusion, have not been capable to attend at Council, by reason of the Rum, which is too plenty amongst them. To-morrow we purpose and doubt not to give you the answer of our whole Body.—

Coll: Johnson replyed:

Bretheren. I accept and am pleased with your apology and am sensible the delay is not owing to your Nations. I should not be so impatient but my presence is very much wanted at Albany where many of the Troops I am to command are arrived and more every day

coming. I published a prohibition against selling Rum in this Neighbourghood. I desire you will let me know, from whence so much Rum is brought.

They said there was none sold in the neighbourhood, but that it was fetched from and bought at Schenectady and Albany.

N B. Five or six Cags of Rum had been discovered and Coll: Johnson had them taken away and lockt up, but great quantitys were daily among them, and sold to them at Schenectady and Albany, tho' the Inhabitants of both these Towns are well acquainted how much the sale of it retards and prejudices the publick service at these times, and that they are subject to penalties for selling the same.

Mount Johnson 29. June 1755. A. M.

Sundry Sachems of the Onejda, Tuscaroras, Skaniadaradighroonas, Aughquageys, & Delawaras waited on Coll: Johnson.

The Skaniadaradighroonas, Aughquages and Delawares gave a string of Wampum by which they informed the Coll: that last war he made a Sachem of the Aughquaga Nation who is since dead. They then presented a Belt of Wampum to let him know that a young Man whom they then presented was thought proper to succeed him, and hoped the Coll: would please to accept of him and cloath him, accordingly.

The Coll: promised to do so.

The Onejdas and Tuscaroras then by a string of Wampum presented two young Men whom they said were firm to the Interest of the English, and worthy to be made Sachems, and desired they might be accepted as such, and that the Colonel would distinguish them with the usual cloathing as Sachems.—He complied with their request.

Mount Johnson 29. June 1755.

The Sachems having sent Coll: Johnson notice that they were ready to make their reply to the speaches he had delivered to the Confederate Nations the 24 and 25 inst:—He sent them word he was ready to hear them.

The Assembly met about 2 o'clock P. M.

PRESENT— The Hon^{ble} William Johnson Esq^{re}
The Rev^{d} M^{r} Ogilvie
Peter Wraxall Secretary
The Interpreters as before and sundry other persons attending.
The Sachems and Warriors of the several Nations.

Kaghswughtioni the Onondaga Sachem spoke as follows:—

Brother Wariaghtejage, sole superintendant of our affairs.

You called upon us to give our serious attention to what you had to say to us; we assure you by this string of Wampum we did so, and we desire you will now do the same to what we are going to reply to your speech to us. (gave a string of Wampum)

Brother. We are much obliged to you for the relation you gave us of what hath passed, both, with regard to our Bretheren the English as well as the French. We know it in general to be true, and we are very thankful to you for refreshing our memories with the particulars.

In those days the Governors contributed to the strength and Union of the Five Nations, we hope that you, who have now the sole Management of their affairs will do the same.

(Gave a Belt).

Brother. You desired to know, who we had most reason to believe were the friends and Bretheren of the Six Nations, the English or the French, and you said we ought not to be long in determining upon it. By this Belt we acknowledge the Great King of England our Father is the Master of our confederate Nations and we put our trust in him. Dont think Brother that we are come thither with a double heart, we are honestly and fairly in Earnest, when we acknowledge our Brotherly affection and attachement to the English, and we hope you will keep it on your side inviolable as we will do on ours. (Gave a Belt of Wampum)

Brother, No evil Reports or artful endeavours of the French shall draw us away from our affection and Unity with our Bretheren the English.

We doubt not your declaration to us on renewing the Covenant Chain comes from the bottom of your heart, we on our side do with this Belt in the sight of Him who dwells on high, renew and strengthen the Ancient Love and friendship which hath ever subsisted between your Forefathers and ours, and we hope you will mind duly to renew and brighten this Covenant Chain (Gave a Belt of Wampum with several strings of Wampum to it).

Brother. You told us to act like the Worthy Children of our brave and honest Forefathers and to declare ourselves like Men. We thank you for putting us in mind of our Ancestors; 'tis very true they were such as you describe; we are but weak children in comparison with them, and we hope you will be a kind and tender Father to us. You have desired us not to listen to or be affraid of the French. We will not regard their insinuations, but remain dutiful to the Great King of England our Father, and tho' our neck is but small, we do not dread the French or any of our Enemies, and tho' we are not inclined to enter into quarrells without reason, we will stand by our Bretheren the English & adhere to our Covenant Chain with them.

(Gave a Belt)

Brother, You have represented to us how much the French are our Enemies, and you have laid before us the present State of affairs as matters of the last importance to our welfare. We think them such and we are very much obliged to you for that Esteem and Affection you have expressed for us all on this occasion, and that you are ready to go out with us, and expose your own life in conjunction with us, and that you will take care of our families in our absence. We the confederate Nations here present agree to your request and will join and assist you in your undertakings. We have not yet determined what particular numbers will go from each Castle, but we are taking the necessary steps to be ready with our people.

Brother. we know, the affairs you have proposed ought not to be delayed, but as we left our families unprepared for this event, we are desirious that some of our young Men may first return home and settle matters properly. We imagine you are not yet quite ready, and you may depend you shall not wait for us.

Kaghswughtioni then made the following reply to General Braddock's speech:

Brother. You desired us to be attentive to Gen[l] Braddock's speech to us; by this string of Wampum we beg you will do the same to the answer we are going to make to that great Warrior. (gave a string of Wampum)

We return Gen[l] Braddock our grateful thanks for the information he gives us of his designe to chastize those who have invaded our hunting grounds and for the good opinion he has of us. We sincerely wish him success in his undertakings. (gave a Belt of Wampum).

We are thankful to him that he has appointed a person so agreable to us to take care of our affairs, and we hope that you our Brother Wariaghtiejaghe, who are now raised up by so high an Authority will continue to be our steadfast friend. (gave a Belt).

The Speaker then took General Braddock's War Belt and Coll: Johnson's and put them together and said:

We are already declared ourselves on the one, and we now make the same declaration on the other. And we are truely thankful to Gen[l] Braddock for the assurances of his care and protection for us.

The Speaker then took the Bundle of Sticks in his hands given by Coll: Johnson in his first speech and said.

Brother. You exhorted us by this bundle of Sticks to Union. friendship and Brotherly love. We shall stricktly observe your admonition and adhere together like true Bretheren. It seems as if your advice has already taken effect, for the Senecas are gathering together, and the Onondagas are retrieving their people from Sweegachie; but Brother we must tell you, Your People are very faulty, they are too thirsty of money and carry on a Trade with the French which is not only a real prejudice to us but to yourselves also.

Conochquiesie an Onejda Sachem then rose up and said.

Brother. We are very thankful for and concur in every thing you have said to us since the present meeting. The Things you proposed required no very long consideration. You have invited us to join with you as Bretheren, we can not refuse so reasonable a proposal, and the Confederate Nations here present have complied therewith. You may perhaps think, we have not been so particular in our answer as your speech deserved but Bretheren must not stand too much on form and ceremony, the main point is settled and we hope that will give you satisfaction.

Coll: Johnson then said:

Bretheren. I am well pleased with all you have said in answer to Gen[l] Braddock and my speeches, and as I consider it must be disagreable to you to sit so long in the sun, I will not detain you at present but say something more to you to-morrow when I deliver you the presents.

Bretheren, I am very sorry that notwithstanding all the care I have taken to prevent Rum being sold to your people at this meeting or from being brought amongst you, yet it has nevertheless found its way here.

You are sensible of the many ill consequences which attend the use of this liquor. It has, I am apprehensive hindred you in your Councils and prevented many of your young Men from

attending at our conference, and I must desire every one will do all in their power to hinder any more Rum from being brought and drank here.

In the evening the War Kettle was put on and at night the War dance was danced. Coll: Johnson began it. The two Sachems who were Speakers this day danced and many of the head Warriors.

Mount Johnson 1. July 1755. A. M.

Several Sachems of the Cajouga Nation having desired a private conference with Coll: Johnson he met them this morning.

One of them spoke in the name of the rest & said:

Brother, our Nation was truly rejoiced when we heard you were again raised up according to the united request of all the Nations and it was with great readiness and pleasure that we came down to this meeting.

But we must confess that your pressing us to take up the hatchet is somewhat sudden and for which we were not prepared. Dont think Brother that we are any ways inclined to prefer the French to our Bretheren the English, we assure you we are not; the English are our Ancient Bretheren, and we are determined to stand by them; the only concern we are under, on this occasion is on acccount of our Bretheren the Coghnawagaes, they are our own flesh and blood and many of us have Brothers, sons ettc who live amongst them, their safety you must think naturally affect us, and we can not but be uneasy about them and wish there was time given us to secure our kindred there from danger. This Brother is the only uneasiness we are at present under. (Gave a Belt of Wampum)

Coll: Johnson answered:

Bretheren. I know and am sensible of your relation, and your interest in the safety of the Coghnawagaes.—

I have already mentioned my sentiments in regard to them in a general manner in my publick speech which I now confirm to you.

The Coghnawagaes are at present looked on and treated by the English as Bretheren, they come now freely and unmolested to Albany, tho' it would be in our power, if we were so inclined to distroy or confine them, but I sent down orders to the soldiers there that they should be treated civilly and as friends. We have no desire or intention to spill one drop of their blood. I do propose to send a Message to them and try if they will return to their Friends and live amongst the Five Nations, and if they wont do this, to stand out of the way and not join the French against us, and in this I desire not only your concurrance but your advice. But if they will be obstinate and not only refuse our friendly admonitions, but act as Enemies against us, surely you do not expect, you can not blame us, if we treat them as their head strong rashness will deserve; as I would do by my own son or my Brother, so will do by them. Do you ask or expect any thing more and can I speak more reasonably or fairly. I give you this Belt to assure you, I mean what I have said. (gave a Belt).

They said:

Brother. We are extremely obliged to you, for what you have now said, we will seriously consider of it and then say somewhat in answer to it.

They then gave another Belt and desired they might have a Smith sent up to reside amongst them to mend their arms and their Tools and that they could not do without so necessary a

person and requested also, that a Man whom they named might come up with the Smith and bring a little dry goods and some Gunpowder and lead to sell but no Rum.

The Coll: promised he would look out for a Smith, and enquire if the person they named was proper and willing to go.

They then withdrew with great appearance of satisfaction.

Mount Johnson 1. July. 1755. P. M.

PRESENT— The Hon^ble William Johnson Esq^re
Peter Wraxall Secretary
The Interpreters as before, and several other persons attending.

N B. The following speech was translated into Indian by M^r Clause and spoke by Hendrick the Mohawk Sachem. The presents were set out in the middle of the yard, the Sachems and Warriors of the several Nations sitting round.

Coll: Johnson's speech:

Bretheren of the Confederate Nations here present.

[This speech was designed to be delivered with the presents as yesterday but it raining violently all day long prevented].

The day before yesterday you engaged yourselves to assist your Bretheren the English in their undertakings now on foot against their and your enemies, the French. You have in this acted like dutiful children of the great King of England your Father, like Bretheren to the English and like true children of your brave and honest Forefathers. I hope you will fulfill your engagements like honest Men and be guilty of no deceit or breach of your words; if you should, you will be detestable to all Men. (gave a Belt).

Bretheren. I expect and desire you will acquaint all your allies and dependents with the engagements you have entered into and press upon them to act conformably thereto.

(Gave a large string of Wampum).

Bretheren. You desire, some of your young Men may return home to settle matters relating to your families as you left them unprepared for this event.

As I would be far from insisting upon any thing that might be prejudicial to your safety & welfare, so I am willing, some of your young Men should return home as you request. But I desire that some may immediately go and join the rest of their Bretheren with General Braddock, and I shall send a White person well known to them to go with them [Here Capt^n Stoddert stood up and was presented as one whom the Coll: designed to send with them to General Braddock] and you may be assured they will be well received and kindly treated by the General. (Gave a Belt.).

Bretheren. Your Brother and friend Gov^r Shirley who is well known to you is now or will in a day or two be at Albany. He is going to Oswego with a great number of Soldiers who are now at Albany and Schenectady. He designs to go to Niagara to prevent the French from sending any more reinforcements to the Ohio, and to open the Road which is now stopped for your and our Bretheren to the Westward to come to Oswego. He expects and I desire you will meet him there and give him that assistance in his undertakings which as bretheren you are bound to do (Gave a Belt).

I shall in a little time be ready to march with the forces under my command for Crown Point, and I desire you will have some Warriors of each Nation here to attend my directions, and when I send for more that they may be ready to join us. (a Belt).

Bretheren. I propose to send a Message with a Belt of Wampum to our Bretheren the Coghnawagaes and before your departure I desire your advice and assistance therein agreable to what I mentioned in my speech (Gave a large string of Wampum).

Bretheren. Here is a present which the King your Father hath sent you by Gen^{l} Braddock. I desire that you will make a just and equal division of it. There is a large quantity of gun powder to be likewise given you, as it would be dangerous to give it now, you shall have it when you are going away.

Mount Johnson 3. July 1755. A. M.

Hendrick and his Brother Abraham Chief Sachems of the upper Mohawk Castle waited on Colonel Johnson and acquainted him, that they had received certain intelligence from the half King, who is with Gen^{l} Braddock, that six young Men relations of theirs who went to the Southward early this year were all cut off by the Creek Indians, and tho' it was a very severe and afflicting loss to them, yet they assured Coll: Johnson it should not hinder them from assisting in the publick business at this juncture and that they would promote all in their power the affairs he had recommended at this meeting.

Mount Johnson 3. July 1755. P. M.

The Sachems of the several Nations having given Coll: Johnson notice that they were ready to make a reply to his speech to them of the 1st inst: he sent them word he was ready to meet them. They accordingly assembled.

PRESENT—The Hon^{ble} William Johnson
Peter Wraxall Secretary.
The Interpreters as aforementioned.
Coll: Lydius, Capt^{n} Killock, his son and sundry other persons who had attended formerly.
The Sachems and Warriors of the Confederate Nations.

Aguiotta an Onejda Sachem rose up, and in the name of his Nation, the Cayougas, the Tuscaroras, the Skaniadaradighroonas and the Tiederighroonas condoled the upper Castle of the Mohawks on the loss they had sustained of the Six young Men of their Castle who had been killed to the Southward and gave a string and Belt of Wampum as testymonies of their concern.

Then Kaghswughtioni the Onondaga Sachem stood up and with a string of Wampum addressed himself to the five aforesaid Nations and desired they would not be too much dejected by this Misfortune, but keep their minds firm and capable of business; he then in the name of the half King Schaaroyady condoled the upper Mohawk Castle with a string of Wampum sent from the said half King by those Indians who went with Coll: Johnson's Messengers to General Braddock. He next condoled the said Castle in the name of Coll: Johnson, the lower

Castle of the Mohawks, the Onondagas and the Senecas, with a string of Wampum, and Coll: Johnson gave them some black Stroud for mourning upon the occasion.

These ceremonies being passed Caghswughtioni stood up and made the following reply in the name of the Confederate Nations to Coll: Johnson's speech to them of the 1st inst:

Brother. In answer to your first Belt, we say we will persist in our engagements and we hope you will fulfill all those on your side. Gave a Belt.

In answer to your string, we promise you to press the conduct we shall observe upon all our allies and dependents, here is the Deputy of the Mississageyes now here, with him we shall begin and fulfill our desire. (gave a string).

In answer to your second Belt we say, that as the Confederate Nations have agreed to join their Bretheren the English against the French, your desire on this Belt is already fulfilled by the half King having joined Genl Braddock with several of our people as we learn by a Message yesterday received from him (gave a Belt).

Brother. In answer to your third Belt we say, are you not our Tree of shelter, and why will you desire us to take shelter under any other Tree, where you go we are ready to follow. However there will be many of our people round about Oswego and near to Niagara, who will join and be ready to assist Govr Shirley (gave a Belt).

Brother. In answer to your fourth Belt we say, that we desired first to go home to take care of our families and put our affairs in order, besides, we must consult upon, and send proper Messages to all our scattered friends and Relations who will lay exposed to the Enemy; they are still ignorant as we were when we came down of the present State of Affairs; none of us were prepared for this sudden call which you have made upon us. You are a large body and will move slowly, when you are ready and will send us word, we will run down, and tho' you should even be upon your march we will soon overtake you. (gave a Belt).

In answer to your string about the Coghnawagaes, we will cooperate with you and use our best endeavours to prevail on them to get out of danger and not assist the French against our Bretheren the English (gave a string).

Brother. We have now finished our answer to your Speech, and we repeat to you, that our young Men are desirious they may first return home, for we can not upon so short a warning be fully prepared for Action; besides, if our people were to stay here, we see no arms or accoutrements provided for them, therefore we must go home to equip ourselves.

Brother. We have taken into our Confederacy our Children the Skaniadaradighroonas and they are desirious you will look upon them as your Bretheren; there are many of them who at present live in Maryland and want to come to live near to us, that both, our strength and theirs may be increased. We have sent for them by Belts of Wampum, but they are not effectual, for there are three Colonels in Maryland [They named the three Colonels: vizt Coll: Scarbrough Coll: Henry and Coll: Hooper; the three Chiefs they also named vizt Jomikakonick in Locust, Neck Dame Jam in do and Gecho in Pekoinoke[1]] near whose houses

[1] *Sic.* Qu? Pocomoke: a river in the Southeast part of Maryland. — Ed.

they live, who in conjunction with three Chief Men amongst those Indians will not let them come away, we desire you will interpose and write to those persons to let them come away. (gave a string).

The Speaker then took in his hands a large Belt of Wampum with a smaller one tied to it and said.

Brother. As every thing is gone on in a friendly way between us at this meeting and we are now united together in the most intimate manner, let us not have the Devil to join with us, that is the Rum. We desire you will stop up the Bung and let none come to Oswego to be sold to our people; let us be content with the drink which God gives us from the Heavens. Rum is not necessary for our lives, but on the contrary is the occasion of our loosing them. We have never any difference but thro' this cursed Liquor; but as you told us of some Corn you had for us, that is a necessary article, and we beg you will send it up in five different parcels. (Gave the two Belts).

Brother. We must correct you a little. You desire us to unite and live together and draw all our Allies near us, but we shall have no land left either for ourselves or them; for your people, when they buy a small piece of land of us, by stealing they make it large. We desire such things may not be done, and that your people may not be suffered to buy any more of our land. Sometimes its bought of two Men, who are not the proper owners of it. The land which reaches down from Oweigey to Schahandowana, we beg may not be settled by Christians [lands belonging to the United nations near the Susquehana River] but if any come there they may be called away that so we may have land left for ourselves and our Allies. (gave a large and small Belt).

Conochquiesie, The Onejda Sachem, rose up and said.

Brother. You promised us that you would keep this fire place clean from all filth and that no snake should come into this Council Room. That Man sitting there (pointing to Coll: Lyddius) is a Devil and has stole our Lands, he takes Indians slyly by the Blanket one at a time, and when they are drunk, puts some money in their Bosoms, and perswades them to sign deeds for our lands upon the Susquehana which we will not ratify nor suffer to be settled by any means; The Gov^{r} of Pennsylvania bought a whole Tract and only paid for the half, and we desire you will let him know, that we will not part with the other half but keep it. These things make us constantly uneasy in our minds and we desire that you will take care that we may keep our lands for ourselves. (gave a very large Belt of Wampum).

Brother. We have now finished all we have to say and to morrow we propose to return home.

Coll: Johnson then told them.

That he had attentively heard what they had said, but as it was too late now to give them an answer he would make a reply to morrow morning.

Kaghswughtioni the Chief Onondaga Sachem came to Coll: Johnson and told him, that as very troublesome times were approaching, and they had now declared themselves in favour of their Bretheren the English against the French; he desired a Fort might be built at their castle, for that they lay exposed to the French who might perhaps come and fall upon them, and therefore some place of security would be very necessary for them.

Coll: Johnson told them that he could not promise them to build a Fort immediately, and he thought the army at Oswego, which was in their neighbourhood would send the French work enough that way, and deter them from giving his people any disturbance, and that the French would be beset on all sides and find it too difficult even to defend themselves. However, that he was pleased with his request, and it should be granted as soon as possible.

Mount Johnson 3. July 1755.

This evening the Cajuga Sachems waited on Coll Johnson in consequence of the conference he had with them about the Coghnawagae Indians the 1st inst:

They gave it as their opinion that an express should be sent by Coll: Johnson to each of the Cogh[n]awaga Castles and another from the Six Nations.

The Colonel asked them when they proposed to send theirs; they said as soon as they came home they would call a Council and send one off immediately.

The Colonel asked them whither if he should meet with any chief Men of the Cogh[n]awagaes at Albany, it would not be as well to deliver the Belt, and what he had to say to them, as to send a special Messenger; they answered either way would do.

The Colonel asked them if they thought the methods proposed would be effectual to prevail with the Coghnawagaes to comply with our propositions; They answered they would not be positive, but as soon as ever they knew what effect their message had, they would acquaint the Coll: with.

The Colonel then told them, he expected their message to the Coghnawagaes would correspond with what he had said upon the subject in his publick speech and in his former private conference with them; that his would be so, and both ought to be uniform, they promised theirs should conform.

Mount Johnson 4. July 1755. A. M.

Colonel Johnson sent for the Onejda Sachems, and told them, Govr Shirley would have occasion to build two Magazines for his amunition and provisions at each end of the carrying place, & desired they would consent and give no interruption to the people employed therein

They said that Captn Petrey's son had come up there, with a number of Men with Axes ettc, and told us they were come to build two large houses at each end of the carrying place, and began to cut down Timber without any further ceremony upon which we stopped them having no Message from you about it; but as you now make the request with a Belt of Wampum we readily grant it.

As to the Germans who live there its only by our permission, for they have never paid for the land they are settled upon. We received them in compassion to their poverty and expected when they could afford it, that they would pay us for their land, but now they are grown rich, they not only refuse to pay us for our land but impose on us in every thing we have to do with them; we have therefore told them to go about their business and remove from our land.

The Coll: told them he would at all times use his utmost power, that they should have justice done them and not be imposed on by any body, and exhorted them to peace and

Brotherly love on their side particularly at this time when our Enemies are doing every thing they can to distress and ruin us.

They seemed satisfied and the Coll: left them in good humour.

Mount Johnson 4. July 1755.

Coll: Johnson's Rejoinder to the reply of the confederate Nations of yesterday—
Spoke by William Printup Interpreter.

PRESENT— The Honble William Johnson
Peter Wraxall Secretary
The Interpreters as aforesaid and sundry other persons attending.

Bretheren of the confederate Nations.

As to what you yesterday said upon my desire that some of your young Men should remain here—I think the objections you made are rather evasive then just. Your young Men have had time enough to determine upon it. There are more than a sufficient number who have their arms now with them, and you know I have taken care to have all your arms and warlike instruments mended since your being here, which has been a great expence; amunition you have had plentifully in the present I gave you.

All those who join our arms shall be sufficiently provided, and as I have already told, you shall meet with every kind of good usage; each Man who choses to bring his own Gun shall be paid for it.

Bretheren. I must correct you a little and put you in mind that last War, when I armed, cloathed and fitted you out compleatly, several of your warriours deceived me and did not go upon service.

I give you this Belt to reassure all those who shall Join their Bretheren in any of the present undertakings which I have mentioned, that they shall be treated in every respect as friends and Brothers. (Gave a Belt).

Bretheren. As to the Skaniadaradighroonas I shall write letters about their removal agreable to your desire (Gave a string)

Bretheren. I shall take care that no Rum be brought by any Christians into your Castles. I am fully sensible of the ill consequence of it and that it really is like a Devil when it gets among you. (Gave a Belt).

Bretheren. I am convinced that many frauds have been made use of in the purchasing of your lands which I am very sorry for; but the King your Father having heard of your complaints and ever mindful of your welfare, hath sent such orders to the Govr of this province as will prevent these evil doings for the future, and I dont doubt but he will punish those who have been guilty of these proceedings. (Gave a Belt).

Bretheren. I did promise, that I would keep this fire place free from all filth and did desire, that no snake should come into this Council room. As to Coll: Lyddius, if his coming hither was such an offence to you, I am sorry for it, he came of his own accord without any invitation from me [Coll; Lydius came to Mount Johnson with an Interpreter, and several Indians

complained to Coll: Johnson that Lyddius had been privately perswading them to go to Niagara with him. They expressed their displeasure at this application of Lyddius, upon which Coll: Johnson spoke to Mr Lyddius and forbid him and the Interpreter to interfere any further with the Indians as it had and would occasion an uneasiness amongst them which might be prejudicial to the service in general] If Coll: Lyddius hath done as you represent and which I am affraid is in a great measure true, I think, he is very faulty, and that nobody should attempt to settle Lands upon such unfair purchases. I will endeavour all in my power that justice may be done you in this affair.

As to those lands, which the proprietaries of Pennsylvania bought of you last year, it was done in a fair and open manner with the consent of your whole body then present, and I believe most of your Sachems now here did agree to and were present at that Bargain, and tho' you then received but half the purchase money, you were told, you might have the other half whenever you would call for it with which you were satisfied; for you therefore to want to recall half of that purchase for the whole of which you have given a deed in so publick and so solemn a manner, is in my opinion unreasonable and unjust. If you expect justice to be done you, you ought to be ready to do justice yourselves, and believe me my bretheren that to be honest men is the surest way to be happy and respected. I think you ought and I would advise you to stand by the Bargain and take the rest of the purchase money when you want it. As to the Schahandowana land the proprietors will not attempt to settle it, but whenever you are inclined to sell it you will remember you are engaged to sell it to them.

(Gave a Belt).

Bretheren. Our publick business is now at an end, I am very glad we have continued so long together in good health and that no ill accidents have happened to us at this meeting.

I hope, you will put into your hearts the many important affairs which have been treated of at our conferences. I will stand by my engagements to you, and I hope you will as strictly observe those on your side.

I wish you well, and safely home, to your families, and hope I shall speedily see some of you again.

Kaghswughtioni the Onondaga Speaker then addressed himself to the Indians and said.

Bretheren. You hear our Brother Warraghiyage tell us he has now finished the publick business with us and what he has further said by way of conclusion.

Bretheren. We have all great reason to thank him for the harmony with which every thing has been carried on at this meeting and that it is so happily ended.

We have experienced that in all the former expeditions in which we have been pressed to join our Bretheren the English, affairs have not turned out well, and this has been a great discouragement to us, but as we have now person appointed over us by our own request to the King our Father and who is, as it were like one of ourselves, were we to refuse his application to us, it would be a great shame—Let us then go hand in hand with him and we may hope to be as successful as our Forefathers were in times of old. (Hereupon a general shout of applause was given).

When Coll: Johnson had taken his leave and was gone up stairs, a Deputation of the Sachems of each Nation waited upon him and desired they might say somewhat more to him.

The following is what passed at this conference.

Arent Stevens Interpreter.

Kaghswughtioni said:

Brother. The English and the French seem now to be in earnest and we hope this expedition will not be like the former ones which were disappointments to us and no honour to you. We are sensible that we can not now stand neuter and we are determined to join and assist our Bretheren the English and not behave as we did last War.

But as the French are a revengeful people and have a great number of Indians in their interest, we must keep some of our people at home to secure our own dwellings from the Attacks which we have now reason to fear from the French, and we hope you will take care that we are supplied with Arms and Amunition to defend ourselves. When we return home we shall call our respective Tribes together and acquaint them with every thing that has passed at this meeting; and our young Men are so much inclined to war, that we are affraid too many of them will be ready to join you, therefore we must repeat to you our request that we may not want arms and amunition to defend our habitations. (Gave a Belt).

Colonel Johnson withdrew with the Secretary, when the following answer was drawn up and at their return made.

Bretheren, I can assure you the King our Father is in earnest in the present undertakings against the French, and I am persuaded, matters will be carried on, more effectually than formerly. From the assurances you have now given me I expect that all your Nations will behave more in earnest than you did last war, and I doubt not you will soon be convinced, the French are not a match for the English. Tho' I dont think you will be in any danger from the French or their Indians at your habitations, as we shall give them sufficient employment; yet, as you seem to be uneasy, I will take care and supply you with a proper quantity of arms and amunition to defend those who stay at home. (Gave a Belt).

Kaghswughtioni then addressed himself to the Cayouga Sachems and said:

Brothers. We three Nations your elder Bretheren are agreed and determined to assist our Bretheren the English against the French, but tho' you have consented to do the same, yet, you appear at times to be wavering, and as if your inclination were not thoroughly settled; speak out now therefore before our Brother Warraghiyage and let us know what are your fixt resolutions?

[The eight Confederate Nations are subdivided into two grand Divisions viz^{t} The Mohawks, the Onondagas and the Senecas, who are called the Elder Brothers of the Confederacy; the Onejdas, the Cayougas, the Tuscaroras, the Schaniadaradighroonas and the Tiederighroonas, which five are called the younger Brothers, the Delawares are looked on as the children of all these Nations.

The Cayougas at this Meeting, had shown a remarkable unwillingness to join the English against the French, and it seems to be for that reason Kaghswughtioni addresses himself to the Cayougas in particular.].

One of the Cayouga Sachems said:

We are determined to follow the example of our Elder Brothers and assist the English against the French.

They then told Coll: Johnson that they proposed to set off to morrow morning and that the Sachems would keep Company with the Young Men, to prevent their doing any mischief in their way home to the Inhabitants' Cattle or corn ettc; and said they hoped Coll: Johnson

would order some provisions along the Road to support his Children the Sachems and his Grand Children the Warriors.

The Coll: told them he would take care they should be supplied.

They then took their leave and the Conference broke up.

Mount Johnson 4. July 1755.

This evening Ottrowana the Cayouga Sachem came with the Mississaga Deputy, who repeated his errand hither as mentioned, and assured Coll: Johnson, that the Castles he came from were determined to remain in friendship with the English and the Confederate Nations.

Coll: Johnson gave him a string of Wampum to assure him that, whilst he and his friends continued in this disposition, the road hither should be free and open for them. And gave him a Belt to carry home, thereby advising and admonishing his Nation to remain firm in their friendship and Alliance with the English and the Six Nations, and not hearken to the French, but come freely to Oswego where they might depend upon meeting with every kind of good treatment.

The Coll: gave him a handsome present for himself, and told him, that if his Nation would come down in a body with the Confederate Nations when they might hereafter meet here, they should be treated in every respect as our bretheren.

He promised to deliver this Belt and acquaint his people with the Colonel's Message and with what had passed at this meeting.

A true copy from the original Records compared and examined by me

PETER WRAXALL.—
Secretary.

Lieutenant-Governor De Lancey to Secretary Robinson.

[Governors and Commanders in America, (S. P. O.) No. 69.]

New York 7 August 1755.

Sir

Pursuant to the directions I received in Your letter of the 26th of October last, that I should carefully conferr or correspond, as I should have opportunities, upon every thing relative to the service with General Braddock, I went to him to Alexandria in Virginia, where among other things it was agreed in Council, that this, and the New England Colonies should raise a body of men, and endeavour to remove the French from their encroachments at Crown Point. As soon as the business at Alexandria was over I returned to New York to meet the Assembly, that were adjourned to the 22nd of April, when in pursuance of an agreement before made upon a plan of Mr Shirley's and which only waited for general Braddock's approbation, the Assembly made provision for raising 8 Companies of one hundred men each being the Quota of this province; I accordingly ordered them to be raised, and they are in conjunction with the Forces of the other Provinces put under the command of William Johnson Esqre as Major

General, to procede to Crown point, and by the latest accounts from Albany, the last division marched this week.

The Fatal account I lately received from Captⁿ Orme[1] in a short letter, of General Braddock's defeat and death, and the Army's retreating to this side of the mountains made it necessary to call the Assembly together again, and to recommend to them the raising more men to reinforce Major General Johnson; the French on the Ohio, by the retreat of the British Troops, being at liberty to return to Canada, and some of the French ships with Troops, which escaped Admiral Boscaven, having probably got up the River Sᵗ Lawrence to Quebec, whence the Troops may soon be sent to Crown Point, appeared to me sufficient reasons to strengthen the army destined against Crown Point. My recommendation succeeded with the Assembly, they have voted four more companies of one hundred men each to be draughted out of the militia, and are preparing a Bill for that purpose with all speed, so that I hope to be able to dispatch the new companies time enough to join the troops already gone, and if the Colony of Connecticut send five hundred Men and the province of Massachusetts Bay the like number in time, I hope Major General Johnson will be able to send a good account of his campaign; his army before amounting to thirty six hundred Men or there abouts, if joined by the New Hampshire forces, who were to march by land cross the Country, and meet him at the carrying place on Hudson's River.

Another point I took in charge at Alexandria was to provide Battoes for transporting the effectives of the two Independent Companies posted in this Province, and two Companies of Sir William Pepperell's Regiment to Oswego and to furnish them with provisions, which I have done for six Months, the expence of which to this province amounts to upwards of three thousands pounds: I also supplied Captⁿ Bradstreet, who was sent to command at Oswego, with whatever he wanted, and was to be had out of his Majesty's stores in Fort George, and must do him the justice to say, no man ever made more dispatch to get to his command than he did, having in three hours time passed the great carrying place between the Mohawks River and the Wood Creek, with his Company, provisions, Battoes and Baggage, which is a less time than what the Traders generally take with a single Battoe when they hasten to the Mart at Oswego, and I am firmly persuaded, from the condition of the Fort and the State o the Garrison, at [the pass] of Niagara, five hundred Men might easily have made themselves masters of it. But the French have had time to prepare for its defence, and it is probable many of those who return from the Ohio will be ordered to stop there. By the last accounts I received Genˡ Shirley was about fifty miles from Albany in his way to Oswego.

I hope it will not be thought improper to mention the number of Cannon that have been spared from this City for the several expeditions on foot, which could not have been done with safety to this place, had not Admiral Boscaven been sent out to awe the French fleet; for the expedition to Isthmus of Nova Scotia, ten iron eighteen pounders with their carriages and

[1] Robert Orme, Esq., of the county of Devon, entered the army as an ensign in the 35th Regiment of foot, and in 1745, exchanged into the Coldstream Guards, in which he became a Lieutenant in April 24, 1751. He accompanied Braddock, and served as his Aid de Camp in the expedition against Fort du Quesne, on which occasion he was wounded. He returned to England the same year, and in October, 1756, resigned his Commission, and married the Hon. Audrey Townshend, only daughter of Charles Lord Viscount Townshend, sister of Lieutenant Colonel Roger Townshend, who fell at Ticonderoga in 1759, and of George, afterwards 1st Marquis Townshend, who succeeded General Wolfe at the capture of Quebec. Captain Orme had the character of an honest and capable man, and left an interesting Journal of Braddock's Campaign, which has been published in an elegant style by the Historical Society of Pennsylvania, with a valuable Introductory Memoir, by Winthrop Sargent, Esq. — Ed.

implements; to Gen[l] Shirley for the expedition against Niagara, 6. Brass twelve pounders, one brass eighteen pounder, and seven iron six pounders; and for the expedition to Crown Point, two iron thirty two pounders, six iron eighteen, two iron twelve, 4 brass six & 4 iron six pounders. The use I would make of this, is to shew the expediency of having at all times in this City, as being nearly the center of the British Colonies, a number of Cannon and Arms & a large quantity of Amunition ready on all occasions to be disposed of for such services, as the General, his Majesty shall think fit to appoint for North America, shall judge proper. This is a further reason, because the operations which will most sensibly affect the French interest, should be carried on through this province, by the way of Crown Point towards Montreal, and by the way of Oswego on the Lake Ontario, westward to Niagara or North eastward to the head of the River S[t] Lawrence; and the passage to Oswego being chiefly by water and through the Country of the Five Nations of Indians in alliance with us, there can be no great danger of surprise or ambuscades. I have said that the operations which will most sensibly affect the French interest should be carried on through this Province, my reasons are:—There are but three ways to distress the French in Canada. The first is by a Fleet and army up the River S[t] Lawrence to Quebec, with this I shall not meddle because a Force for that purpose must be sent from Britain, and even then should be assisted by the strength of the Colonies to make a diversion at Montreal. The second is thro' this Province by the way of Crown Point a Fort scituated at the south end of Lake Champlain; from this place, the French Indians who make their incursions into these Colonies are supplied with arms and ammunition; to this place they retreat for shelter, and are soon fitted out again for fresh incursions to murder or enslave our Inhabitants: posessing this Fort we may intercept parties of Indians, or lay them under such difficulties in going out or returning, as will greatly discourage them and will tend to keep our Borders in quiet. We shall then have the Lake Champlain open to us, we may build such vessels on it, as can carry whatsoever may be wanting to destroy the Forts at S[t] John's and Chambly, and thereby open a passage either by land to the River S[t] Lawrence opposite to Montreal, or by water through the River Sorell quite to Montreal, whenever occasion offers for attacking that place, and till that place be destroyed, the Colonies will not enjoy a lasting peace. The third method of distressing the French, is by the way of Oswego: to go thither we pass as I observed before through the Country of our friend Indians, we pass, by water, a much less expensive carriage than by land, from Oswego we may go westward by water through the Lake Ontario to Niagara; if we become masters of this pass, the French can not go to reinforce or victual their garrisons at Presqu Isle, Beeve River or on the Ohio, but with great difficulty and expence, and by a tedious long passage. From the Fort at Niagara, there is a land carriage of about three leagues to the Waters above the Falls, thence we go into the Lake Erie and so to the Fort at Presqu Isle, and if we take that, the French can carry no supplies of provisions nor send men to the head of Beeve River or to the Fort du Quesne on the Ohio, and of course those Forts will be abandoned. The same Battoes which carry the train, provisions ettc for the Army to Oswego, may carry them to Niagara, and being transported above the falls, the same may carry them to Presqu Isle, the Fort on the South side of Lake Erie, so that it will be practicable to bring the expence of such an expedition into a moderate compass, far less, than the expence of Waggons, horses ettc which are necessary in an expedition by Land from Virginia to the Ohio; besides that, proceding from Virginia to Fort Du Quesne, if it be taken, it is only cutting off a toe, but taking Niagara and Presqu Isle, you lopp off a limb from the French, and greatly disable them. Thus far

Westward for the present, tho' the Detroit at the West end of Lake Erie be an object that will deserve some future consideration, when it shall be thought proper to build one or more vessels of force to command that lake.

From Oswego we may take our course North Eastward to the head of the River S^{t} Lawrence, and remove the French encroachment at Cataraqui or Fort Frontenac, or if occasion offer, procede down the River S^{t} Lawrence to Montreal, to join a body of Troops sent by the way to Crown Point to take that place.

From this view of things, it appears, of what consequence Oswego is: at the Council held at Alexandria, it was agreed to be a post of the greatest importance for facilitating the reduction of Niagara and securing the retreat of the Troops to be employed on that service, and therefore, that it was necessary the Fort should be strengthened and the Garrison reinforced; accordingly General Braddock ordered the effectives of the two independant Companies and two Companies of Pepperell's Regiment thither. I considered it in that light and therefore readily agreed to transport and victual these Troops at the expence of the Province for the time above specified and as far as the fund in my hands would go. These considerations make it evident how necessary it is to build a strong Fort at Oswego and to Garrison it well. The present Fort was built and the garrison maintained at the expence of this Province: but such a Fort as the importance of the place requires, being the great inlet into the Country of the five Nations of Indians, will demand such an expence, as this province alone is not able to bear and therefore should be built and garrisoned at His Majesty's expence or the united expence of the Northern Colonies: The doing this, is now almost the only measure we have left to keep the five nations from falling off from their dependance on the British Interest.

I am

Sir

Your most obedient and most humble

Servant.

James De Lancey.

Lieutenant-Governor De Lancey to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 62.]

New York 9th August. 1755

[This Letter is nearly the same, as the preceeding one to Sir T. Robinson. J. R. B. The following, however, is an additional paragraph.]

I had only a short letter from Capt^{n} Orme first Aid-de-camp to the late General Braddock, he wrote more particularly to the other Govern^{rs} nearer at hand, from whom I doubt not your Lord^{pps} will have received the intelligence, as Commodore Kepple lay at Virginia ready to sail as soon as he received an authentick account of this disaster. General Braddock agreed to draw for the expence of supporting the Garrison at Oswego, when the Fund I had was exhausted, and there is now no more remaining that what is necessary for the common

contingent services of expresses and the like. £500 of it having been before I went to Alexandria engaged to fortify the Mohawk Indians at their request, and which will attach that small but valient Tribe the more firmly to our Interest. I am My Lords,

Your Lord^{pps} most obedient and
most humble servant
JAMES DE LANCEY.

P S. I have sent your Lord^{pps} one of Leuis Evan's Maps.

Population of the British American Colonies.

[Plantations General, (B. T.) XLIII., 424, 5.]

An Account of the Number of White Inhabitants in His Majesty's Colonies in North America distinguishing the Number of the Militia or of Men capable of bearing Arms; taken from the last Returns transmitted to the Lords Commissioners for Trade & Plantations, and, where those Returns are defective, from the best Accounts which can be obtained.

Colonies	Dates of the Returns	Total Number of Whites.	Militia	Men capable of bearing Arms.
Georgia	1752	3.000		
South Carolina	1752	25.000	5000	
North Carolina	1755.	50.000	.....	13.000
Virginia	1755	125.000	28000	
Maryland	1749	100.000	12500	
Pennsylvania	No returns since the Year 1730; but according to the best Accounts	*220.000	.....	25.000
Connecticut		100.000		
Rhode Island		30.000		
New Jersey	1755	75.000	10.000	
New York	No returns since the Year 1738 but according to the best accounts	55.000	.....	12.000
Massachusetts Bay		200.000	.....	40.000
New Hampshire	1755	75.000	6000	
Nova Scotia	1754.	4.000	1200	
	Total.	1.062.000		

* Of these 100.000 are German and other foreign Protestants.

Major-General Johnson to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 79.]

Lake George. 3 Sept^{r} 1755.

My Lords,

As I left all those papers which were not necessary to my present Military Department behind me, I can not be exact as to the date when I had the honour to write to your Lord^{pps}

with a copy of my proceedings at the late meeting with the Indians. I think it was about the middle of July.

About 250 Indians have already joined me, and as small parties are every day dropping in, I expect, before I can be able to leave this place, to have full 300. I sent a Message in conjunction with the Six Nations to the Cognawaga Indians who live in Canada in order to persuade them to stand neuter in our present disputes; I have had their answer: "that it was not in their power, that by Religion and Treaties, they were so united to the French, they must obey their orders." The Sachems of the several Nations now with me, have this day sent them another deputation, to try if by fresh arguments they can bring them over to a neutrality; this is to be the last effort. Our Indians appear to be very sincere and zealous in our cause, and their young Men can hardly be withheld from going out a Scalping; but that is not thought either prudent or politic until the Cognawagaes give their final answer which I expect in two or three days.

General Shirley soon after his arrival at Albany in his way to Oswego, grew dissatisfied with my proceedings, employed one Lyddius of that place a Man extreamly obnoxious to the public in general and to me in particular which I told Gov^{r} Shirley, and the very Man whom the Indians had at their public meeting so warmly complained of. To this Man, he gave a Coll's Commission over the Indians and set him up to oppose my interest and management with them; under him several others were commissioned and employed. These persons attacked all the Indians they could meet, went to their Castles, and by bribes, keeping them constantly feasting and drunk, calumniating my character, depreciating my Commission and Authority, scandalously misrepresenting my management, endeavouring to raise jealousies of me—in short, by the most licentious and abandoned proceedings, raised such confusion amongst the Indians, particularly the two Mohawk Castles who are the most leading people, that their Sachems were under the utmost consternation; they dispatched Deputies down to me to know, what was the occasion of all this surprising conduct, that I had told them I was appointed sole Superintendent of their affairs, which had given an universal satisfaction tro' all their Nations, but that now every Fellow pretended to be vested with Commissions, authority ettc. I sent several Messages and the Interpreters up to quiet their minds, for my Military Command would not suffer me to leave Albany, otherwise I would have gone myself, and I believe should soon have put a stop to all these violent measures.

I have at Albany a great number of original letters and papers, which give particular Relations of the lawless behaviour and villanous conduct of these Agents of Gov^{r} Shirley's, tho' if I had them here, I would not trouble your Lord^{pps} with a detail, which tho' very shocking and interesting, would be extreamly tedious.

I shall only say in general, that a complication of more scurrilous falshoods, more base and insolent behaviour, more corrupt, more destructive measures would not have been fallen on, to overset that plan of general harmony, which I had with infinite pains and great expence to the public, so lately established—I spoke, I wrote to Gov^{r} Shirley about it, but without remedy; they pleaded his authority for all they did and said they had his Commissions and I cant but presume it must have been done with his knowledge and consent, for the Indians, since they have been in this Camp told me that he said at the upper Mohawk Castle, that I was an Upstart of his creating, that it was he, supplied me with money and that he could pull me down ettc ettc. they said this in public before the Chief Officers in this Army and desired they might be wittnesses to what they told me.

The reason or the pretended reason which Gen[l] Shirley pleads for his thus opposing my Indian Management and setting up these persons in opposition to me, is that I would not get him some Indians to escourt him from Schenectady to Oswego. I had indeed mentioned it to some of the Sachems, but they told me, as his way to Oswego lay thro' their several Countries (Oswego itself is in the Senecas Country) they would not conceive there was any occasion for escourting him, and that when he came to Oswego there was no fear but many of the united nations, would according to my desire meet him there and assist him. Numbers of the Troops had gone up without any molestation, not the least interruption had been given to any one; the Traders to Oswego were daily going and returning with single Boats. Those who are acquainted with Indian Affairs, well know, that it would have been the worst of policy for the French at that time to have violated the tranquility of the Country of the United Nations; 'tis true some small parties of Indians had been discovered between Schenectady and my house, but they are looked upon as a set of Free Booters, and Gov[r] Shirley's body guard would have been a full security to him against any of these, even his premier Lyddius when I talked to him on this head owned to me he saw no want of Indians for an escourt, and said he would endeavour to dissuade Gen[l] Shirley from it.

It is with reluctance I trouble your Lord[pps] with these affairs, but as I have been honoured with a Department of great importance and entrusted with monies belonging to the Crown, it behoves me on every account not to be wholly silent. I have said as little as I possibly could to give your Lord[pps] some idea of transactions which I apprehend come properly under the cognizance of your Board.

Gov[r] Shirley's conduct, not only shook the system of Indian Affairs, gave me fresh vexation and perplexities, but occasioned considerable and additional expences on all sides, which would otherwise have been saved. The profuse offers which his agents made to the Indians in order to debauch them from joining me, tho' it did not succeed but with very few, yet gave to all such self importance, that when I urged to any of them who made demands upon me, their unreasonableness, they reproached me that they had refused Gov[r] Shirley's greater offers, by whom they were promised all they should desire. The critical situation of Indian Affairs in particular and of public affairs in general, M[r] Braddock's defeat also happening about this time—under these circumstances I was forced to compromise matters and make compliances, which they would otherwise neither have expected nor submitted to.

My Lords, I will hasten to a conclusion; From General Shirley's late behaviour and his letters to me, I perceive he is and will be my inveterate Enemy; that the whole weight of his power, his influence, his craft and abilities, will be exerted to blast my character, here and here only am I anxious. Gross falsehoods (such as he has already asserted, both in his speeches to the Indians and in his letters to me) artful misrepresentations—deliberate malice—presentment[1] worked up by people in his confidence, whose interest, nay whose very livelyhood depends upon inflaming him against me. These My Lords are circumstances which I own disturb me.

I am sensible, Gov[r] Shirley has in many respects been an active and a useful servant to the Crown, and tho' I have reason to think he does not wear power with generous ease and true dignity, yet his rank in public life will naturally give him consequence and gain him influence. Were I to open in a particular manner, the whole scene of my conduct with regard

[1] resentment. *New-York Documentary History*, II., 687. — Ed.

to the public and him, and from the papers and letters in my possession, to contrast his conduct with regard to the disputes between us. I say, were I to do this and any one who should think it worth their while, calmly to peruse and impartially to examine the full state of the case between us, I would risk character, life and fortune upon the decision. But I apprehend unless I am properly called upon to do this, such a voluminous appeal would not find either leisure or patience from those persons, whose opinions would be of the greatest consequence, I might rather perhaps be thought impertinent and too full of my own importance.

My present address on this subject to your Lord^{pps} is, to entreat you will at least receive those acusations against me, which I suspect already are or will be transmitted by Gov^{r} Shirley, with a suspension of your judgment. If your Lord^{pps} are disposed to have the whole amply laid before you and I live to receive your commands, they shall be obeyed with all possible dispatch.

In the mean time I beg leave to declare to your Lord^{pps} with the most unfeigned sincerity, as I did to the late General Braddock, that my only motives for accepting the commission & powers he conferred upon me, were to serve my King and my country at this important Juncture. I stipulated with him for no reward, and whatever expectations I might indulge, they were never equal to the fatigue nor the disadvantages to my private fortune, which I foresaw I should, and which I have suffered.

My Lords, animated by my Loyalty, by my zeal for the public safety and welfare (both which were at stake) and by some desire of Fame, I accepted Gen^{l} Braddock's Commission, and executed the trust reposed in me, with my best abilities and with integrity. Gov^{r} Shirley's interfering in the authorative and ill judged manner he has done, was injurious to the true system of Indian affairs, a violation of the terms of my Commission and an arbitrary insult upon my character.

I must beg leave to declare to your Lord^{pps}, that if his Maj^{ty} should think proper to honour me with the Management of Indian Affairs, I do not think I can fulfill His Royal expectations and do that service to my Country which will be thereby intended, if my proceedings are to be subjected to or controlled by any Governor, who may, by being ill advised or from personal resentments, or from other undue motives, take upon him to counteract my measures. Permit me further to observe to your Lord^{pps}, that unless the monies appointed to carry on Indian Affairs are confided to my disposal and a certain fund fixed on, I shall be ever liable to be perplexed and opposed, and often perhaps prevented from bringing into effect schemes which by a precarious fund I may be forced to drop and so loose that chain which may bind the whole structure.

My Lords, I hope I shall not be misunderstood, I do not thirst for power or honours either from ambition or pride, my judgement not my passions take the lead on this subject.

From Gov^{r} Shirleys ill grounded resentment—from the imperious stile he writes to me since Gen^{l} Braddock's death, from his threatning intimations and his temper, I am confirmed in this lesson, that a subordinate power here with regard to Indian Affairs, and a fund dependant upon the will and pleasure of His Majestys Govern^{rs} in these Colonies, will be incompatible with my abilities and inclinations to conduct them; and as I have no private or mercenary views to serve, I must humbly beg leave to decline the charge, unless I am put upon the footing as above intimated.

I shall always be disposed to take advice from any of his Maj$^{ty's}$ servants here, and to be accountable for my conduct to any Judicature his Maj^{ty} think proper to appoint; but to

be subjected to the caprice or political views of Gov^{rs}, I cannot think will ever harmonize with that uniform direction of Indian Affairs which in my humble opinion is the only judicious plan which can be pursued.

Persuaded I am that if the management of Indian Affairs (those of the six Nations I mean) are branched out into various channels of Power, the British interest relative to them will be unstable, perplexed and in the end, totally lost — this, past experience teaches.

I am building a Fort at this lake which the French call lake S^{t} Sacrament, but I have given it the name of Lake George, not only in honour to His Majesty but to assertain his undoubted dominion here.

I found it a meer wilderness, not one foot cleared, I have made a good Waggon Road to it from Albany, distance about 70 miles; never was house or Fort erected here before; We have cleared land enough to encamp 5000 Men. The Troops now under my command and the reinforcements on the way will amount to near that number. Thro' our whole march from Albany, tho' parties of the French have been hovering round us, we have had but one man scalped and one taken prisoner; they had both strayed four miles and upwards from our former Camp, contrary to the orders I had given. When our Boats are brought up from our last encampment, about 17 miles from hence which must be done by Waggons, and is a tedious work. When they arrive and are put in order, I propose with a part of the Troops to proceed down the Lake, at the end whereof is an important pass called Tionderogue about 50 miles from hence, and 15 miles from Crown point, and there endeavour to take post till the rest of the Forces join me and then march to the attack of Crown point, all which I hope to effect in about three weeks.

We have reason to expect a very powerful resistance and a number of Indians against us, greatly superior to what we have.

I am
with the utmost respect
My Lords.
Your Lord^{pps} most obedient
humble servant.
Wm. Johnson

Speech of Hendrick, the Indian Sachem.

[New-York Papers, Bundle Kk., No. 80.]

Camp at Lake George 4. Sept^{r} 1755.

PRESENT — General Johnson — Major General Lyman.
Lieut Coll: Whiting — Coll: Ruggles
Lieut. Coll: Pitkin. Capt^{n} Peter Wraxall: Secr: for Ind: Aff:

Capt^{n} Butler
Lieut^{t} Claape[1]
W^{m} Printup
} Interpreters.

Sachems and Warriors of the several Indian Nations who having desired a meeting and made a speech upon several affairs relating to the regulations of Army matters; when they had finished, desired every body to stay, and hear what they were further going to say. Then Hendrick the Great Mohawk Sachem addressing himself to Gen^{l} Johnson spoke as follows.

Brother Warahejage *sole* superintendent ettc.

Sometime ago we of the two Mohawk Castles, were greatly alarmed and much concerned, and we take this opportunity of speaking our minds in the presence of many Gentlemen concerning our Brother Gov^{r} Shirley, who is gone to Oswego — he told us — that though we thought, you our brother Warahejage had the sole management of Indian affairs, yet that he was over all; that he could pull down, and set up. He further told us: That he had always been this great Man, and that you our Brother Wariahejage was but an upstart of yesterday. These kind of discourses from him caused a great uneasiness and confusion amongst us, and he confirmed these things by large Belt of Wampum.

Brother. I just now said, these matters made our hearts ache and caused a great deal of confusion in our Castles. Gov^{r} Shirley further told us: "You think Your Brother Wariahejage "has his Commission for managing your affairs, from the King your Father — but you are "mistaken — he has his Commission and all the monies for carrying on your affairs from me "and when I please, I can take all his power from him; it was I gave him all the presents and "goods to fit out the Indians with."

Brother, he further told us when he came to our Fort: "This is my Fort, it was Built by "my order and directions, I am Ruler and Master here, and now Bretheren I desire twenty "of your Young Warriours from this Castle to join me as your Brother Wariahejage promised "me you would do and be ready at a Whistle. Bretheren you may see, I have the chief "command, here is money for you, my pockets are full, you sha'n't want, besides I have goods "and Arms ready for all that will go with me"— He said a great deal more of the like kind, which time will not permit us to repeat at present.

He was two days pressing and working upon my Brother Abraham to go with him as a Minister for the Indians — he said to him: "Wariahejage gives you no wages, why should you "go to Crown point, you can do nothing there but crack Lice; with me there will be "something to do worth while."

[1] Clause. — ED.

These Speeches made us quite ashamed, and the Five Nations hung down their heads and would make no answer.

But Brother, notwithstanding all these temptations and speeches, we that are come and now here, were determined to remain steadfast to you, and had it not been for Gov^{r} Shirley's money and speeches, you would have seen all the Six Nations here.

Brother, we have taken this opportunity, to give you this relation, that the Gentlemen here present may know and testify what we have said, and hear the reasons, why no more Indians have joined this Army.

a True copy from the original minutes.

PETER WRAXALL Sec^{ry} Ind: aff:

New York Secretary's Office 18th Sept^{r} 1755.

I certify the preceeding to be a duplicate of a copy signed Peter Wraxall Secr^{ty} for Ind: Aff: carefully examined and compared by me.

JN^{o} GODBY Clerk.

Governor Hardy to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 67.]

New York, 6 Sept^{r} 1755

My Lords

I have now the honour to acquaint you that I arrived here the 2^{d} inst:, landed the next day and published His Maj$^{ty's}$ Commission.

I found the Assembly sitting on a Message sent them by the Lieut^{t} Gov^{r}, to assist the Govern^{t} of Connecticut, who are raising 2000 Men for the reinforcing Major General Johnson, who commands the Expedition against Crown point, and as they had not concluded the business, I sent them a Message desiring them to give it dispatch, which I herewith inclose, together with that from Lieut^{t} Gov^{r}, the resolutions of the Assembly, and a Council of War held by Major General Johnson, for your Lord^{pps} information. As this measure was concerted and agreed upon before my arrival, I hope your Lord^{pps} will approve my concurring in it, as any delays in me, might have impeded the raising such a body of Men in Connecticut so necessary at this important juncture, and which required the utmost dispatch.

As the Assembly have had a long sitting this summer, they are desirious of returning into their several Countrys. I propose when they have finished the Bill before them to give them an adjournment.

I have notified my arrival to the several Govern^{ts}

I have the honour to be

Your Lordships

Most obedient and humble serv^{t}

CHA^{s} HARDY.

Minutes of General Johnson's Council of War.

[New-York Papers, Bundle Kk., No. 68.]

Camp at the Great Carrying place.
22. August 1755. P. M.

At a Council of War held by the Honourable Major General Johnson, Commander in Chief of the provincial Troops raised on the present Expedition against Crown point.

PRESENT— General Johnson

Lieut^{t} Coll: Cole,	Major General Lejman
Major White	Coll: Timo: Ruggles
Major Nicholls	Coll: Moses Titcomb
Major Ashley	Coll: Ephr: Williams
Major Hoare	Coll: Elez: Goodrich
Major Dennison	Coll: W^{m} Cockroft
Major Foot	Lieut^{t} Coll: Bayly
Major Fitch	Lieut^{t}: Coll: Pomroy
	Lieut^{t} Coll: Whiting

Capt^{n} Eyre chief Engeneer and Quarter Master General.
Capt^{n} Peter Wraxall Secretary.

Article 1. The General directed the Secretary to read to this Council of War a letter he received last night from Coll: Blanchard of the New Hampshire Regiment, with the letters and papers therein referred to, and also part of a letter which the General received at the same time from the Lieut^{t} Gov^{r} of New York, relating to the matters contained in Coll: Blanchard's dispatches, and desired the opinion of this Council of war what they judge necessary to be done in consequence of the intelligence and matters contained in the afore said papers.

Article 2. The General then proposed for the advice of this Council of war, which way towards Crown point, from this place they would advise a Road should be cut, for the March and embarkation of the Army, and whether that Road should be immediately set about, and that he had directed Capt^{n} Payson, Lieut^{t} Butler and some Indians to attend in order to assist with their informations, the deliberations of this Council of war on this important question.

Article 3. The General laid before this Council of War the last returns made him of the state of this Army, and desired they would take the same into their serious consideration, together with the informations of some of the Indians present, who arrived here last night from Canada and Crown point, as also the sentiments of all of them now present relative to forming a judgement for future proceedings, and measures necessary to be taken hereon.

Upon the first Article: It is the unanimous opinion of this Council of War, that the New Hampshire Regiment should be retained in this service, and that they be furnished with provisions by the Commissioners of the several Govern^{ts} concerned in this expedition.

In answer to the second article: it is the unanimous opinion of this Council of War, that the Road to Lake S^{t} Sacrament appears to them the most eligible, and that it be immediately set about; upon which the General put the question, what number of Troops the Council thought safe and sufficient to carry on that work and build a place of arms and Magazines.

Voted in the Affirmative two thousand Men and half the Artillery and a suitable quantity of Artilery stores. The Council of War at their own motion was adjourned to 9 o'clock to morrow morning.

Saturday between 9 and 10 o'clock A. M.

The Council of War met according to the adjournment of yesterday evening, and having taken into their serious consideration the present state of this Army, as laid before them by the General in the last returns made to him the 17. 18. and 19. inst: by which they find the whole amount of the Men fit for duty including Sergts Corporals and Drumms were at that time 2932, since which the number of the sick are considerable increased, and 16. Deserters from one Regiment; so that, when the New Hampshire Regiment shall join the Army, they apprehend the whole number of men fit for duty may be estimated between 31 and 3200.— The Council also find by the answer of the Cagnawagee Indians, to Genl Johnson's Embassy, sent by the four Mohawk Indians who arrived here from Canada and Crown Point the 21. inst: and the said Cagnawagees speech to those Mohawks, which the General laid before the Council of War, that the Cagnawagees will join with their whole force the French against us. That from the accounts Genl Johnson gives of his conversation with the said four Indians, it appears that the French are all in motion in Canada towards Crown Point; that the Road from Montreal to St John's is constantly crowded with carriages passing to and fro' with provisions and stores to be dispatched by the Brigantine, and one smaller vessel up Lake Champlain to Crown Point, which vessels are constantly employed therein; that the Enemy flinging up new works at Crown Point and every body there busily employed. The said Indians further inform, that there appeared to them a great plenty of provisions, that three Men-of-War from Europe had arrived at Quebeck with provisions, arms, cloathing & 6000 Troops which the French said were designed for Crown Point.

That the Govr of Canada was calling in all the Indians settled around that Country, who these Indians do not doubt will readily and warmly join the French, and will with the Cagnawagees amount to a very considerable number. That the French Govr at Montreal told them, he waited impatiently for Genl Johnson and his Troops, and should be very glad to see him, that he should have ready to oppose him 8000 Men besides Indians. That the French have had pretty exact intelligence of all our motions from the Marching of the first division from Albany. That if we marched by the way of the wood Creek, they designed to attack us at South Bay, if by the way of Lake St Sacrament at Tieonderoga, that when these Indians past by Crown Point, there were not above 100 Men there, and two hundred more on their way from St John's, but that by this time, they doubted not they are greatly encreased, and daily arriving as also the Indians. That our Indians are of opinion, that the French will fortify at Tieonderogo, and be much too strong for us there, that some of the most steady and best affected Indians who came here with the General, as also these now arrived from Canada, have several times with apparent uneasiness assured the General and the Indian officers, that we were far short of a sufficient Number, to expect any success against the French, and have further added, that they were of opinion, we should be defeated, yet they were our Bretheren and would live and dye with us.

These informations from the Indians were confirmed and sworn to before the Council by Lieutenants Adems, Butler and Stevens.

This Council of war having taken all these matters into their most serious consideration, and examined since last night to the utmost of their abilities, the great subject now before them in which examination they have made allowances for the natural Boastings and Vapour of the French to our Indians, are unanimously of opinion, that the minutes of this Council of War, be with all possible dispatch transmitted by the General to the several Governts, who have raised Troops on the present expedition, and that Genl Johnson do urge to the said Governts, the necessity of speedy and sufficient reinforcements, as there is great reason to believe we shall be opposed by the main strength of Canada, and that in the mean while, the army do proceed with all possible dispatch and vigour, upon the present expedition; that General Johnson do also inform the said Governts, of the necessity there will be of Cloathing and Blankets, to be sent for the Troops, who are too thin cloathed, for the approaching season, except it be the New York Regiment, who only will want additional Bedding.

P. Lyman, Major General.

Jonathn White	Majors.	Timothy Ruggles	Colonels
Eben: Nicholls		Moses Titcomb	
Robt Dennison		Eleaz: Goodrich.	
Noah Ashley		Eph: Williams	
Eleazer Fitch		Wm Cockcroft	
Jonath: Hoare		Jontn Bagly	Lieut Colonels
		Seth Pomeroy	
		John Pitkin	
Will: Eyre.[1]		Nathan Whiting:	
		Edwd Cole.	

N. B. Major Foot desired leave to withdraw from the Council yesterday being taken ill.

A true copy from the original minutes Examined by me.

PETER WRAXALL: Secr.

A true copy. Examined by

GW: BANYAR D Secrty.

Governor Hardy to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 73.]

My Lords,

I have now the honour to give you an acct of the success of the Provincial Forces under Major General Johnson who commands the expedition against Crown point.

The inclosed is a copy I received Express this morning, and is the only account I have of the Action. I am this afternoon going to Embark with some of His Majtys Council to Albany,

[1] Lieutenant Colonel WILLIAM EYRES, Engineer in Ordinary, was commissioned as Major in the Army on 7th January, 1756, and promoted to the rank of Lieut. Col. on the 17 July, 1758. His name is not to be found in the Army List of 1765. He built fort William Henry, at the head of Lake George, in 1755. *New-York Documentary History*, IV., 525. — ED.

where I apprehend I can be of infinite more service of making all the advantage of this success, than by remaining here so distant from the scene of Action. I shall, when I can be furnished with materials, transmit to your Lord^{pp} the particulars.

The provinces of the Massachusets are raising 2800. Connecticut 2000 and New Hampshire 300 Men, these reinforcements we hope will join General Johnson in a short time, and will enable him to improve this victory. Whatever is in my power to contribute towards it, Your Lord^{pp} may depend on, and I beg leave to congratulate your Lord^{pp} upon it, and am. ettc.

CHA^{s} HARDY.

Sept^{r} 14. 1755

P. S. the Express who brought this account says, about 6 or 700 of the Enemy are killed.

Captain Wraxall to Lieutenant-Governor De Lancey.

[New-York Papers, Bundle Kk., No. 74.]

Lake George. 10 Sept^{r} 1755

Dear Sir,

The 8th inst: a party of 1000 Men and 200 Indians I detached against the Enemy, who were judged by the account of our Scouts were on the attack at the carrying place, or had gained their points, or been drove off thence.—This party met the Enemy about 4. miles off, engaged, but found them too strong for them, and made the best retreat they could; numbers were killed on both sides, I believe most on ours, particularly among our Indians; however, we did not loose many Men in the retreat; the Enemy marched to our Camp, and about 12. attacked us with their whole force. The engagement lasted very warm on both sides till past four, when the Enemy began to slacken their fire, gave way and fled. Our Artillery played briskly in our front the whole time, and the breast work secured our Men; the attack was begun by the Regular Troops on our center, the Indians ettc. on the left of the line, and afterwards they made a vigorous attack on our right — Col: Titcomb of a Boston Reg^{t} killed, which is all the Officers I heard of. Our Gen^{l} wounded in the hip, I found he grew stiff and I led him off to get him dressed, I touched him when he was shot, and thought I saw the shot enter, I judged it to be near the small of his back and feared 'twas mortal, but we happily found it was lower; the ball remains and he suffers pain. I have sent for D^{r} Middleton (who, poor man, I hear is sick,) if possibly to come up and take care of him. Our dead in the two Engagements, do not I believe amount to much more than 150 and about 100 wounded, but I can get no exact return as yet.

The French Gen^{l} the Baron de Diskiau we have taken, he is badly wounded and I fear will not live; we understand he is General of all the Regular Forces lately arrived from Europe, an elderly Man, and very much of a Gentleman, & a great reputation as a Soldier. By his papers, at Crown Point, and at Tieonderogue he had 3171. Regular Troops, from that place to Crown point they have fortifyed all the advantageous passes. He was mistaken in his intelligence, and the Indians and Canadians gave way. This he says, occasioned his defeat. His aid-de-Camp came into our Camp when it was dark, and surrendered himself. His Major

Gen^{l} was killed, and many other considerable Officers, they made a bold attack and maintained it bravely; our Cannon and breast work saved us; we have about 25 prisoners, the number of the Enemy is variously reported by the prisoners; their Gen^{l} says. 1600. others 2000 and others 2300. We were I believe effective about 2200 at the time of the engagement, of which many of them could not engage but kept posts where the Enemy might, but did not attack. Our Officers and Men are quite wore out with fatigue, we have been under arms, night and day since the first intelligence. I am so exhausted I can scarcely hold the pen. We were going to build a Fort, but it must be suspended till we are reinforced.

The French hurried off, and head many of their dead. Our Indians have taken off near 70 scalps, they have lost about 40 of their people, Old Hendrick I fear is killed, they are very much enraged, *but not in so high spirits as I could wish*

Another engagement took place about 4 & 5. some New Hampshire and New York Troops about 210, they were as I understand reconnitring, heard our fire, marched briskly towards us, met 300 Canadians and Indians where the engagement was in the morning, who fled from the Battle at our Camp to scalp our people killed in the morning. Our brave party fought nobly put the Enemy to flight, and made a considerable slaughter. Capt^{n} Maginis Commanded the party, behaved with the utmost Calmness & resolution, was brought in much wounded on a Horse, and I fear cannot live; be his memory honoured. The Council of War have given their opinion, that one General letter be wrote to all the Govern^{ts} and dispatched directly to Boston, from thence to Connecticut, they expect reinforcements which will be very welcome to us. We are apprehensive & our Indians very much so, that the French will make a more formidable attack upon us and bring Artillery up the Lake. I enclose your Honour the order of Battle found amongst the French Generals papers, also the General's title and his Aid-de-Camp, which the latter just now wrote & sent me. The long letter with particulars going to Boston and minutes of Council of War, if not before, I hope you will receive in a day or two after this. All at present is done in a hurry and in an irregular army all allowances must be made. We had two alarms while I was drawing up that letter. You will in this pardon all inaccuracy Blunders ettc. I was willing to write Your Honour a line, 'tis now a sort of letter, I am every moment interrupted, and have a thousand things to do. I am

Most respectfully

Sir, Your Honours

most obedient servant

Peter Wraxall A-de Camp.

Our General's wound pains him, he begs his salutations; he behaved in all respects worthy his station and is the Idoll of the Army.

Capt^{n} Eyre who commanded the artillery with great Resolution and address, gives me the inclosed letters, which your honour will please to take care and forward.

Taken and wounded.

Mons^{r} Le Baron de Deskiau Marshal des Camps and armies and Commander in Chief of all the Forces in Canada.

Mons^{r} de Bernier Aid-de Camp to Gen^{l} and Lieut^{t} in the Royal Sweedish Reg^{t}.

a true copy—Exam^{d} by me

Lamb^{t} Moore. D Secr^{ty}.

Letter from a Gunner to his Cousin.

[New-York Papers, Bundle Kk., No. 75.]

Lake George 10 Sep^{r} 1755.

Dear Cousin,

On the sixth one of the Sachems dreamed a dream, and ordered prayers to be read, (a prayer was read in the Indian Camp) and the Sachems ordered no person to go out on the left of the Camp, which was obeyed. On the seventh at 4. P. M. three Mohawks came in who went Scouts, and told us a great body of Men was come from Crown point. A Council of War was held, and orders was given for 1000 Men to be ready to scour the Woods next morning, which was accordingly done, under the command of Coll: Williams Lieut^{t} Coll: Whiting and our Mohawks, with King Hendrick, Capt^{s} Farrell, Stoddart, McKinnis. About 3 or 4. miles from the Camp we begun the attack which was about the hour of eight in the morning, they fought and retreated to the camp, when the French thought to go thro' all, but was much surprised with our Artillery which made Lanes, Streets and Alleys thro' their army; they fought the front two hours, and then came on the right wing, which was commanded by Coll: Tidcomb, and attacked two hours there, and back to the front again and thought to come in on the rear of our army; but the General perceiving danger, ordered me to throw some shells, which accordingly I did, and some 32 pounders, which soon made them shift births; they retreated in sad disorder, and with shouts of Victory we got the day. About 700 French and Indians got back to their old place of encampment, where they met with Capt^{ns} Magines and Folsom with a party of 170 Men, and after an attack of about two hours intirely defeated the Enemy. We had a Muster, and find our loss not to exceed 170 and 30 wounded. Our Gen^{l} is wounded, but thank God, not mortal, both, him and Aid-de-Camp with other officers distinguished themselves by their bravery. The loss on the other side was computed to be near 700. We have the head General prisoner and its thought mortally wounded and his Aid-de-Camp. Their Major Gen^{l} was killed, he was the same who commanded at Ohio. His last words, fight on boys, this is Johnson not Braddock. They say they lost four Capt^{ns}, and how many other Officers they cannot tell. We lost the following brave Officers

Coll: Williams
Coll: Tidcomb
Capt^{n} of Indians and King Hendrick
Farrel, Stoddard, M^{c}Kinnis. Provincials.
Cap^{t} Tice.
Capt^{n} Maginnis in the pains of death.

On their retreat they killed what prisoners they had taken and scalped them. We found the poor creatures tyed to each other by threes and fours. Our Blacks behaved better than the Whites. My love to all friends, excuse haste, we are buysied burying the dead; I wish we had fresh supplys before its too late. I am ettc.

P. S. we have various accounts about the numbers we engaged with, but by the Capt^{n} of Pioniers I am told for a certainty 700 Indians 1250 Whites.

(This letter was wrote by a Gunner who Acts under Capt^{n} Eyres).

Return of Killed, Wounded and Missing in the Battle of Lake George.

[New-York Papers, Bundle Kk., No. 78.]

Head Quarters. Camp at Lake George 11. Sept^{r} 1755.

Returns of the killed, wounded and missing in the provincial Troops under the command of Major General Johnson, after the engagement of the morn^{g} and the subsequent attack on the Camp on Monday the 8th inst. between the said Troops the British allied Indians and the French Regulars, the Canadians and Enemy Indians under the Comand of Mons^{r} Le Baron de Dieiskau Marshal des Camps and of the French forces sent to Canada and Commander in Chief of all the French troops in America.

	Killed	Wounded	Missing	Killed	Wounded	Missing
Major General Johnson wounded in the hip.						
The first Regiment of Massachusetts Bay Commanded by Coll: Timo: Ruggles						
Capt^{n} Solomon Keys, Lieut: Nathan: Gilbert, Lieut: Joshua Williams, Ensign John Fitzdale, Ensign Joseph Brentnal....	5					
Lieut^{t} Thompson	.	1				
Non Commiss^{d} Officers & Privates			28.	5	1	28
The Second Massachusets Regiment Commanded by Coll: Moses Titcomb.						
Coll: Moses Titcomb, Lieut^{t}.....	2					
Non Commiss^{d} Officers & Privates, ...	7					
Maj^{r} Nicholls, 2 Lieut^{ts} & 1. Ensign.....		4				
Private Men.....		23				
Non-Com^{d} Officers & Private Men			25.	9	27	25
The third Massachusets Regiment commanded by Coll: Eph: Williams.						
Coll: Eph: Williams, Major Noah Ashley, Capt^{n} Moses Porter, Capt^{n} Ingersole, Lieut^{t} Simon Cobb, Lieut: Dan: Pomroy, Lieut Nath: Burt, Ensign John Stratten, Ensign Reuben Wait	9	.	.			
Non-Comm^{d} Officers & Private men.	32	.	.			
Capt^{ns} Simon Davis & Elisha Hawley & Ensign Josiah Williams	.	3.	.			
Non Comm^{d} Officers & private Men.....	.	23.	.			
Private Men	.	.	3.	41.	26.	3.
First Connecticut Regiment commanded by Maj^{r} Gen^{l} Lyman.						
Lieut^{t} James Jones	1	.	.			
Non-Comm^{d} Officers & privates	8	.	.			
d° d°	.	3	.			
Privates.....	.	.	2	9	3	2

	Killed.	Wounded.	Missing.	Killed.	Wounded.	Missing.
Second Connecticut Regt commanded by Lieut Coll: Whiting.						
Lieut Thomas Barnham	1					
Non-Commd Officers & Privates	28	.	.			
Lieut Ruggles & 15 privates	.	16.	.	29	16	.
Rhode Island Regt commanded by Lieut Coll: Cole.						
Non-Commd Officers & Privates	20					
Private men	.	6.	.			
Private man	.	.	1 .	20	6	1
Three Connecticut Companys of New York Regiment commandd by Major Fitch.						
Private Men	7	.	.			
Private Man	.	1.	.			
Private Men	.	.	3	7	1.	3.
Total				120.	80.	62.

Of the British allied Indians killed and missing (among which is Hendrick the great Mohawk Sachem) and another great Sachim of the said Castle killed). in all: ..... 38.
Wounded ..... 12.

The Upper Mohawk Castle sustained the greatest loss, many chief Warriors were killed and others wounded.

In the engagement towards evening between the detachments of the New Hampshire and New York Regts from the camp at the great carrying place and the Canadians and Indians, from the best accounts yet obtained, 2. killed, 11. Wounded and 5 Missing. The brave Captn Maginis who commanded this party died two days after of his wounds in this Camp.

The French General the Baron de Dieiskau taken prisoner, and very badly wounded; his Aid-de-Camp surrendered himself the same night. The Baron says, his Major General was killed, as was Monsr St Pierre who commanded the Indians, many other of the Enemies Chief Officers reported by the prisoners to be either killed or wounded.

PETER WRAXALL.
Aid-de-Camp to Genl Johnson.

New York Secretary's Office 20 Septr 1755.
The above is a true copy of the original Return.
Examined and compared therewith by me
LAMBt MOORE. D. Secry.

T. Pownall, Esq., to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 72.]

New York 20 Sept^{r} 1755.

My Lords,

Sir Charles Hardy being gone up to Albany, and desiring me to forward his letters to Your Lord^{pps} which I had the honour to do by a Vessel that sailed from this Port yesterday, duplicates whereof I now send your Lord^{pps} by a vessel that I am told will sail to morrow; and further particulars having been sent me since his departure, I take the liberty to inclose them to your Lord^{pps}, for tho' they are but detached and private accounts of the action, they will serve to explain M^{r} Wraxall's letters; and if Your Lord^{pps} have not yet received the account wrote by Direction of the Council of War, be the best account that can be got at present.

There are many further accounts brought down from Albany by the Schippers, of which the following is one. That when the French Indians were for standing aside and letting the English and French decide the Quarel, Old Hendrick declared for War and fired the first shot. He lost his life by riding on Horse back on one of Gen^{l} Johnson's Horses, his Horse was shot under him, and he being unwelldy and not able to disengage himself and get away was stabbed with a Bayonet.

Part of our Indians came down to Albany with number of scalps, in their way to their Castles, where they are gone to perform the usual ceremonies of Condolence and Triumph, and bring out with them every Warrior in the Country.

My Lords, the account of the Action of the Party from Fort Lyman not been in any letter I have seen, sufficiently explicit, and I having it the day before yesterday from an Albany Man who received it from Major Champlain of the New Hampshire Regiment, I take the liberty to send it to your Lord^{pps}, as I had it.

On the 8th in the Morning at Fort Lyman they hearing that the Indians had killed some Waggoners, a party of sixty Men N. Hampshire Reg^{t} went out to scour the woods, which party upon a Report of a shott firing being heard towards the Lake was reinforced (by a detachm^{t} from the New York and New Hampshire Reg^{ts} under the Command of Capt^{n} Maginnis) to the number of 250 with orders to proceed to the assistance of the General; by the time they had advanced to within four miles of the Camp, the place where the action began in the morning they discovered the Enemies Baggage lying in the Road (for it seems the Enemy had no expectation of a party coming from the South) and at some distance on the top of a Hill five or six Men keeping a look out; they got between the Baggage and these Men, and advanced up the Hill and discovered a party of Canadians and Indians to the number of 300 sitting by a run of water in the Valley. They attacked these, defeated them, killed numbers, took many prisoners and put the rest to flight. They then according to their orders advanced to the Camp coming up just as the Enemy were going off and gave the finishing stroke to the Enemies defeat.

I do not, My Lords, presume to send the above accounts as authentic, tho' the people assure me of the Truth of them.

I received to day a letter from M^{r} Franklin, who says: "Conraed Weiser informs me that the Six Nations have actually sent a Message to the Indians in their Alliance at Aukwick

and the Ohio, to sharpen their arrows and prepare for war, for they are now determined to drive the French from Ohio, and do all in their power to assist the English"—

My Lords,

I have the honour to be

Your Lord^{pps} most obedient and

faithful humble servant,

[1] J. Pownall.

Major General Johnson to the Lords of Trade.

[New-York Papers, Ll., No. 6.]

Camp at Lake George

24 Sept^{r} 1755

My Lords

I had the honor to write your Lordships the 3rd Inst and thought myself under the necessity of laying open (to me) a very disagreeable scene

[1] *Sic.* Thomas Pownall, of Everton house, Bedfordshire, was son of William Pownall, Esq., and was born in 1720. He came first to America as Secretary to Sir Danvers Osborne in 1753, and on his return to England in 1755, was gazetted Lieutenant-Governor of New Jersey (*Gentleman's Magazine*, XXV., 284,) through the influence, it is presumed, of his brother, the Secretary of the Board of Trade; by whom he was designed as successor to Governor Belcher, who was at the time old and infirm. While in England he published, in 1756, the Paper, *supra* p. 893, entitled "Considerations towards a General Plan of Measures for the English Provinces, laid by Mr. Pownall, the Author, before the Commissioners who met in Albany 1754." *Gentleman's Magazine*, XXVI., 211. He returned to America with Lord Loudoun the same year, but continued in the country only a few months. He succeeded Mr. Shirley, as Governor of Massachusetts, in 1757, and on Governor Belcher's death that year, visited New Jersey, in order to assume the government of that Province also, in virtue of his commission of 1755; but finding it impracticable to retain the administration of both Provinces at one and the same time, he returned to Boston. *Hutchinson.* He was nominated to the government of South Carolina in November, 1759, in consequence of which he sailed from Boston for England on 3 June, 1760, but it does not appear that he ever entered on the duties of that office. *Ramsay's S. Car.*, II., 145. In 1762, he was appointed Comptroller General of the army in Germany, from which he retired in 1763. He represented the borough of Minehead in the British Parliament, and in the session of 1776 spoke on the bill for quieting the minds of His Majesty's subjects in America; on a motion for an account of His Majesty's quit-rents there; and on the Nova Scotia petition; in 1778, on Mr. Fox's motion for papers relative to granting pardons, &c., in the Colonies; in 1780, on the motion for a peace with America; in 1781, on the American war; on opening the port of New York; on a bill in favor of American Merchants; and on treating with America. These speeches he had printed, and then sent to the Colonies. *Sagittarius' Letters*, 10. Gov. Pownall possessed great knowledge of the Geography, History and Polity of the several American Colonies. In 1764, appeared the first part of his work, entitled "The Administration of the Colonies, wherein their Rights and Constitution are discussed and stated;" the second part of which was published in 1775; this work ran through several editions. In 1776, he published "A Topographical Description of such parts of North America as are contained in the annexed Map of the Middle British Colonies in North America," Folio; a work issued, it is said, to promote the interests of the Ohio Land Company. In 1780 appeared his celebrated Tract, entitled "A Memorial most humbly addressed to the Sovereigns of Europe on the present state of Affairs between the Old and New World," in which he announced, three years before the Peace, that "North America is de facto an Independent Power, which has taken its equal station with other Powers." This was followed by another "Memorial" in 1782, and a third in 1783. In 1787 he published "Hydraulic and Nautical Observations on the Currents in the Atlantic Ocean, forming an hypothetical theorem for investigation; to which are added some Notes by Dr. Franklin." 4to. *Rich.* Governor Pownall was a member of several learned Societies, and a contributor for many years to the Gentleman's Magazine, principally of papers relating to Archæology. He was twice married, and died at Bath, England, on the 25th of February, 1805, in the 85th year of his age. *Gentleman's Magazine* for 1805, 288. — Ed.

Since my said Letter, the enemy paid us a visit at this Camp, we were so happy as to give them a pretty severe repulse and took their General the Baron de Dieskau, who commands all the French Kings Troops in Canada, Prisoner

As I make no doubt but the General letter which I wrote to the Several Governments[1] who raised troops in this Expedition, or the particulars drawn from it of the actions and events of the 8th Inst has before now been transmitted to His Majestys Ministers, I shall not interrupt your Lordships with my Repetition of that narrative

The next day after this affair the Indians acquainted me that they proposed to return home as was their constant Custom after an Engagement wherein they had met with any considerable Loss; for what passed on this occasion in a public way, I refer your Lordships to the inclosed Minutes, they told me in private that one prevailing motive for their Return home, was that as the French Indians and they had now drawn the sword against each other they expected the Enemy might fall on their Settlements, and therefore it was necessary for their General Safety, to go home, put their People on their Guard, call Councills & take every needful precaution, and that taken I should acquaint them that we were ready to go forward with the Expedition and fix a day for their return they would come more in number & with a determination of Revenge upon their enemies, they lost above thirty of their people and among which many eminent Sachims & Warriors verry faithful to our Interests they sustained the Cheif attack from the enemy in the morning action and they complained to me that they were sacrificed by the Backwardness and flight of our People, and I fear from the most impartial accounts they had reason, every one of their officers who were in the engagement were slain

Your Lordships will observe from the inclosed Minutes that they repeat in a very ernest manner that the Coghnawagaes may never again be suffered to trade either at Albany or Oswego

In my humble opinion to grant their request, to prohibit and prevent by the strictest execution of Law all Trade with the Cognawagaes or subjects of the French King either at Albany or Oswegoe or elsewhere by any of His Majesties Subjects in these parts, but more particularly at Albany, will be a measure of the most useful kind will highly distress the French, who by the great Trade between Canada and Albany are enabled to supply the Indians with Goods which otherwise they could not but under great disadvantages, and hereby they make us Tools to the increase and stability of their Indian Interest—We might then push a stronger & more successful Interest amongst them and have one of the most powerful means in our hands to draw off the Coghnawagaes from the French reunite them to their Brethren of the Six Nations, and prevail on them to return to their antient habitations in this Province

Sir Charles Hardy is come up to Albany in order to push forward the present Expedition. I hope to see him here, when I propose to lay this matter before him, but I forsee that if Sir Charles embraces my sentiments and tries to push them into effect he will meet with great opposition from the Dutch Traders at Albany who by their Cabals and weight in the Assembly may perhaps distress or at least vex him, those people are so devoted to their own private profit that every other publick principle has ever been sacrificed to it—I will detain your Lordships no longer than to assure you of my most sincere inclinations to promote what appears to me for the Honor & Interest of His Matys Service, & that I am My Lords &c

Wm Johnson

[1] This general letter will be found, copied from the London Magazine, in *New-York Documentary History*, 8vo., II., 691.

Conference between Major General Johnson and the Indians.

[New-York Papers, LL, No. 7.]

Lake George 11th Septr 1755. A. M.

PRESÈNT— General Johnson Coll. Ruggles
Major Genll Lyman Captn Eyre
Captn Peter Wraxall Secretary for Indian Affairs
Indian Officers, and William Printup Interpreter.

Aguiotta an Oneida Sachim Speaker

Brother Wariaghejage Sole Superintendant &c

When you called us to the late General Meeting at your house you reminded us of the many barbarities which the French had shown to our several Nations, and told us of the encroachments which the French had made upon our hunting Lands to the Southward and particularly this way

At the same time it pleased our Father the King and you our brother to call on us to join you and exert ourselves in revenging the injuries we have received and to retrieve our Lands. to all which we agreed

Brother

After you made this speech to us, there were none of the confederate Nations who spoke at once and openly that they would assist you with as many as they could spare but the Oneida Nation and I call now upon the other Nations present whether this is not the truth

Brother

You hung your War Kettle over at the last meeting with 7 heads in it and now brother it seems that you had such a great Fire under it that it made the Water boil over & destroyed our enemies & how will it be when we come to overset the whole Kettle upon them

Brother

Now since you desired us to assist you here, we came and notwithstanding the proud Speeches of our enemies we have lifted up our hands and destroyed them

Brother

Now we have thus far complied with your Call upon us We are all of us determined to return to our several Homes and Families for the present and so we bid you farewell

Hereupon General Johnson retired to his Tent with the following officers who agreed upon a Reply as follows

PRESENT— Major General Lyman Coll Ruggles
Lt Coll Whiting Major Fitch
Captn Eyre

The General gave two pieces Strouds to cover their Graves

Bretheren

I am sorry for the loss you have sustained on your side as well as for that on our own. We have great Reason to thank God for the success we have met with and our losses ought rather to warm our hearts to prosecute the present undertaking than produce any coolness, this both Prudence and Bravery call on us to do

Bretheren

You have repeated some of the things which past, at our last meeting, I remember the whole very well and the engagements entered into on both sides and am sorry to see they are not fulfilled on yours

Bretheren

We are not yet got half way we have had in one day three engagements with the enemy — We drove them away and made a great slaughter of them. Whatever are your reasons for leaving us in this Scituation I must think and all the world will be I beleive of the same opinion, that it is not agreeable to your promises nor advantageous to your characters. However I shall lay no restraint upon you we are determined to pursue our first design, to look our enemies in the Face and with Gods blessing to secure the safety of our country and endeavor to obtain that honor which you by thus abandoning us will have no share in

I expect and desire by this Belt that you fulfil your engagements (Gave a Belt)

Before General Johnson made the above reply the Sachims came into his Tent and returned him the Belt of Wampum he had given to go with the second embassy to the Coghnawagaes and said

Brother

Here is your Belt of Wampum, the Coghnawagaes have joined the French and acted as Enemies we desire they may never more be permitted to Trade either at Albany or Schonectady or Schonectady

Two Cheif Sachims of the Mohawks also told the General not to be displeased that the Indians were returning home it was unavoidable in their circumstances, but he should see them soon again and fresh people with them.

Camp at Lake George 12 Sep 1755.

PRESENT— General Johnson.
Peter Wraxall Sêcry for Indian Affrs
William Printup Interpreter
Sachims of the Lower Mohawk Castle and Oneida.

Brother

We heard your reply of yesterday, and we assure you our going home is not owing to any Coldness of Heart or the least dread of our Enemies. It is our constant custom after an Engagement in which we have any loss to return home for a little while and chear our People and then return with fresh vigour and attack our enemies and you may be assured Brother this is our present intention.

We must entreat of you & earnestly beg that the Coghnawagaes may never be again permitted to come and Trade at Albany or Oswego or looked upon as our friendes, they have

behaved treachorously and we are determined no longer to look on them as our brethren, our Indignation does and will encrease dayly against them. We hope you may not make up a sudden Peace with the French as was done last war, and leave us in the Lurch and Disappointed of venting our resentments upon our enemies

We hope you will stand to your engagements & persevere in your Designs

Gave a large Belt.

A true Copy from the original Minutes examined by me

PETER WRAXALL

Secry for Indian Affrs

Major General Johnson to Sir Charles Hardy.

[New-York Papers, LL, No. 8.]

Letter to His Excêllcy Sir Charles Hardy from Major General Johnson, dated from Lake George the 16 Sept 1755.

Sir

[I yesterday transmitted Your Excelly the Returns of the Slain, wounded & missing of our troops after the Actions of the 8th Inst. As it is the Only one I have sent or can possibly at present find time to send, please to make it publick to the other Govts concerned.

I presume you have or in a day or two will receive a Copy of the General Letter wch by the Advice of my Council of War I dispatched by Express to Boston, giving the most particular Acct then in my Power of the Actions with the Enemy on the 8 Inst. I have reviewed said Letter, which tho wrote with great Dispatch & under great Fatigues both of Body and Mind, is in the main as just & as full an Account as I can give]

There is I find some little difference with regard to this[1] mornings engagement between the accounts then and since given the late Coll Williams who marched off with the first division of 500 did halt about a quarter of a mile from where the enemy attacked, and waited for the other division under Lt Coll Whiting, during this Halt the enemy planted themselves in ambuscade, Our Party then marched forward, the Indians leading the Van, One of the enemys Musketts by accident went off which allarmed our People and discovered the enemy, who immediately began their fire on our Indians who finding the enemy on all sides retreated to Coll Williams, who was at some small distance. The engagement then began on both sides. The Indians and the Van of our people sustained the warmest Fire, and amongst them was the greatest slaughter. Whilest the rest of our Troops were marching up to support them, the enemy who were much superiour in Number began to spread themselves in order to surround us, Our Officers then thought it prudent to retreat towards the Camp, and our men fled that way, the sustaining party I had dispatched found things in this Posture, and so the Flight became general. The enemy did not pursue vigorously, or our slaughter would have been greater, and perhaps our Panick fatal, this gave us time to recover & make dispositions to receive the approaching enemy. The Baron de Deskieu tells me his plan was first to make an attack on our Troops at the great carrying place, but the Indians flattly refused to join in it

[1] the. *Johnson's Manuscripts*, II. — ED.

because of the Fortifications there. and that they apprehended it was defended by Cannon that if he would march and attack us here they were ready and willing to join with this, he complyed very happy for us, for he would have found our Troops separately encamp[d] out of the works, and no cannon there and his victory would probably have been a very cheap one and made way for another here. In my afore said letter I mentioned that in the Gallant Action of the evening the enemy were between 3 & 400 Canadians & Indians some prisoners who are since taken and are down at the Fort own that they were between 6 & 700, many of our men fired all their ammunition away picked up the Enemys during the action and generously returned it them — These Prisoners one of whom is a Canadian Captain says most of the Cheif Officers were either killed or wounded in the several actions of the day. The prisoners in general give it as their opinion that their whole loss must have been between 6 & 700, but by the bodies found the slaughter does not appear to have been so large, many doubtless they carried off, hid them or buried. The General Opinion among the most judicious here is that the enemys Loss is between 3 & 400 and many more wounded. Their precipitate flight, Arms & baggage dropped about the woods are strong tokens of their great Loss I am not fond of sending out men to disperse themselves in search of these matters. he enemy fled various ways, & not in any compact bodies, it might therefore be a dangerous and might probably be an unsatisfactory measure to be ransacking the woods, besides, we have more important work before us

The day after the above actions I found our Indians were determined on returning home, I own it surprised me, but they told me it was always their Custom after any engagement in which they had met with a loss, and indeed their Loss has been very heavy not only in numbers but in the personal consequence of the Slain

[What passed on this Occasion I herewith transmit your Excellency Copies of, w[ch] I apprehend should be made known also to the other Gov[ts] concerned to whom my time will not permit me to send seperate Copies. Some of the Chief Men told me before their Departure they had another reason, w[ch] was that as the sword was now drawn between them and the French Indians, they were apprehensive the latter might fall on their Castles & that they went home in order to put their Affairs in a proper Posture & their People on their Guard. Most of them promised me faithfully to return very soon — Several other Parties of Indians were on the Road to join us, but they met the others & are returned with them.

Our Expedition is like to be extreamly distressed & I fear fatally retarded for the want of Waggons. The People of the County of Albany & the Adjacent Counties hide their Waggons & drive away their Horses, most of the Waggons taken into this Service have deserted, some Horses are quite Jaded, & some few killed by the Enemy & several run away. Most of our Provisions are at Albany a great part of our Amunition at the lower Camp & all our Battoes except ab[t] 120. To bring a suff[t] Quantity of Provisions here & all the other necessaries for an Embarkation upon the Lake in due time will require 4 or 500 Waggons at least. I have wrote to the Mayor & Magistrates of Albany, & sent them an impress Warrant & called upon them to exert their utmost Power & Influence to get a suff[t] number of Waggons. I have given a special Commission to an Active Officer to superintend & Dispatch the Waggons. I sent some time ago a possitive Order to all the Commissaries at Albany to forward all the Provisions & Stores in their hands, since w[ch] we have had only 60 Waggons, none of w[ch] as I can find were dispatched by the New York Commissaries who being livers at Albany & Men in Power there might I apprehend if they had properly exerted themselves have forwarded the

Common Cause very much w^th^ regard to Waggons. — We had not above 2 days allowance of Bread in Camp when these 60 Waggons arrived, & I hear they are short at the other Fort. I have by the Advice of the Council of War sent the three New York Companys here to join their Reg^t^ there, in order to reinforce that post.]

I send out constant scouting partys every way to watch or discover the motions of the enemy. Our Breast work is strengthened and carried quite round our camp, a Picketted Fort is building here, the ground was cleared, and poor Coll: Williams was beginning [it], when the enemys visit put and end to his life and necessarily suspended the work for some days. I would have had a more respectable Fort here, upon a Plan, and built under the direction of the Cheif engineer, but the Council of War were flatly against it, and upon their telling me that the majority of the officers & men were extreamly averse to my other construction, and that if I persisted in it, it would occasion a general dissatisfaction I gave up my own sentiments. Flat bottom boats are building for our artillery & Stores and when the Battoes are brought up, the Carpenters shall repair & caulk them

If a sufficient number of Waggons are got and dispatched in time, I hope in less than three weeks to move from hence towards Crown Point. Besides regular Troops and every pass fortified all Canada from Quebec are summoned to oppose us however as large reinforcements are said to be on their way here, I hope we shall be able at least to make a good push. Many if not most of your wounded men will not I fear be capable to assist us. Our sick increases and will probably continue to do so, Cold weather is at hand, and our men very thinly Clad, however I hear the Governments are sending warm clothes In short Dispatch is our dependance that depends upon Waggons and those I fear upon great uncertaintys.

[I yesterday sent down to the Great Carrying Place 21 French Prisoners in order to be forwarded w^th^ 6 more from that place to Albany & transported thence to New York. The French General and his Aid de Camp I forwarded this day who is to travel in a Litter or Battoe to Albany & thence to New York as his Wounds will permit, I am persuaded his Merit & rank will secure him y^r^ Excellencys Countenance. I have let him have 50 Guineas or £90. New York Curr^y^. — I herewith send you sundry Letters w^ch^ the Baron wrote here & desired might be forwarded to Europe.

I send your Excellency also a Paper I found amongst some torn ones of the French General. Whether the state of his Army as therein specified is the whole of the Enemys Force at Crown Point & between Crown Point & this place, or whether it was the Amount of his Encampm^t^ at Tionderogo, I cannot be certain, but I have dispatched spies to both places for Information. I send you also a French Letter taken from the Enemy, w^ch^ mentions the whole Force expected at Crown Point were 6000 — I am apt to believe from all accounts I can gather, that the Forces mentioned in the Baron's Specification were encampt & are employed in Fortifying at Tionderogue at the End of this Lake.

As it is impossible for me to write separately to the several Gov^ts^ concerned, I must beg Your Excell^y^ will communicate those parts of it w^ch^ relate to the Common Cause to those Gov^ts^.

I beg y^r^ Excellency will Accept of the repetition of my best Wishes & belive to be

Sir

Your most Obed^t^

& most hum Serv^t^][1]

W^m^ Johnson

[1] Those portions of the above letter inclosed in brackets are supplied from the *Johnson Manuscripts*, in State Library, Vol. II. — Ed.

Lords of Trade to Lieutenant-Governor De Lancey.

[New-York Entries, B. P., p. 29.]

To the Honorable James DeLancey Esq^{r} Lieu^{t} Gov^{r} of New York.

Sir,

We have received your letter to us dated the 9th of August, acquainting us with the measures you had taken for promoting the expeditions under the Command of Generals Shirley & Johnson, and have laid a copy of it before His Majesty, who will, we doubt not, approve the zeal, spirit and activity, with which you have acted on this great occasion.

As we entirely agree with you in opinion, that New York is in all respects the most proper place for a general Magazine of Arms and Military stores, We have proposed, that, whatever His Majesty shall think proper to order to be sent to North America, (except such as are ordered for particular services) should be lodged in a storehouse at New York under the care of a Storekeeper to be appointed by His Majesty for that purpose, subject to the Controul and direction of the person who shall be appointed to the command of His Maj$^{ty's}$ forces there, and of the Gov^{r} or Commander in Chief of N. York. So we bid you heartily farewell & are—ettc.

DUNK HALIFAX,
THO^{s} PELHAM,
J. GRENVILLE,
J. PITT.

8th Octo^{b}: 1755.

Governor Hardy to the Lords of Trade.

[New-York Papers, Bundle Kk., No. 81.]

Albany. 8 Oct: 1755.

My Lords,

Since my being here little has offered to trouble Your Lord^{pps} with. The Army under Gen^{l} Johnson continue at their Camp on Lake George preparing every thing necessary for their future proceeding.

Inclosed is the extract of Gen^{l} Johnsons letter to me, with the particulars of the Battle between his Forces, and the Troops of France under the Command of Baron Deskieu. And the copy of the conference held with the Indians, on their leaving the Camp, to return to their Castles after the Battle.

The French General has been here some time under Cure, is something better, and has desired to be removed to New York; I shall send him there by the first opportunity.

As I judge my residence here for a longer time necessary, for the promoting His Maj$^{ty's}$ service, I have prorogued the General Assembly to the 4th of November next.

I have the honor to be

My Lords—Your Lordships

most obedient and humble servant

CHA^{s} HARDY.

Secretary Pownall to Major-General Johnson.

[New-York Entries, B. P., p. 31.]

To William Johnson Esq^{r}

Sir,

I am directed by the Lords Commiss^{rs} for Trade and Plantations to acknowledge the receipt of your letter dated at Albany the 21st July acquainting their Lordships with your having been appointed by the late Gen^{l} Braddock to the sole superintendency and management of the Affairs of the Six United Nations of Indians, their allies and dependents, and inclosing a copy of the minutes of your proceedings at the Interview held with them at Mount-Johnson in consequence thereof.

The many proofs, which their Lord^{pps} had received, not only during the last War, but since, of your great ability and influence in the management of the Affairs of the Indians, and in keeping them steady to their engagements, notwithstanding the artifices of the French on one side, and the abuse and neglect of our own Colonys on the other, induced their Lord^{pps} to think it their duty to recommend you to His Majesty for this important trust upon the present great occasion; and when their Lord^{pps} reflect upon the happy consequences with which that appointment has been attended, and that perhaps it was the only means left of preserving the friendship and gaining the assistance of the Indians, it gives them the greatest pleasure that this recommendation had the desired effect.

The number of Indians, which attended the Meeting at Mount-Johnson, so much larger than had ever appeared to any former Interview, at least of late years, was a happy Omen of success; and their Lord^{pps} hope, that the manner, in which the Treaty with them was conducted, and the prudent and forcible arguments, which were used to engage them to take part with Us in our attempts to dispossess the French of their encroachments, will have the effect, to fix them steadfast in our interest.

If the Indians are really sincere in their declarations, and we on our part observe a proper conduct towards them, by seeking the most effectual means of redressing the grievances and impositions they so justly complain of, and by inviolably adhering to our engagements with them, this well-timed renewal of the covenant-chain with them, will, their Lord^{pps} doubt not, be attended with all the happy consequences so strongly marked out in your letter.

The Transactions at Albany, at the last interview there, clearly marked out the necessity and expediency of a speedy, impartial and effectual examination into the complaints of the Indians, with respect to the Kayoderesseras and Conojoharrie patents, and other like violations of our Treaties and engagements with them; and that the Indians may be fully convinced that there was no want of a proper attention on the part of the Govern^{t} here to these important matters, I am directed, to inclose to you a copy of the Instructions given to the present Gov^{r} of New York thereupon, which you will communicate to them, in case you think it advisable so to do. How far these Instructions will be effectual to obtain redress in the complaints of the Indians, must depend upon a variety of circumstances, which do not, nor can appear to their Lord^{pps}; but if the directions contained in them appear to you to be ineffectual, it will be a great satisfaction to their Lord^{pps} to have your sentiments upon this matter, and your opinion, what will be the most effectual method to obtain this desirable end.

Articles: 90. 91. 92. 98. of the Instructions to Sir Charles Hardy.

It has long been their Lord^pps^ opinion, that the affairs of the Indians ought to be regulated, established and conducted, under some one General plan and system, adapted to their particular situation, and comprehensive of every thing which can contribute to their security, convenience and satisfaction; but it will be impossible for such a plan to take place, whilst there is no fund existing for defraying the necessary expences of the service; their Lord^pps^ however would be glad to have your opinion, of what shall appear to you to be the most proper plan for the direction of Indian Affairs upon such a general system, and if in the mean time the measures recommended by you shall appear to be immediately necessary, as temporary expedients to engage the friendship of the Indians, and keep them firm in our interest, their Lord^pps^ doubt not, but a proper attention will be shewn to them, as well as to M^r^ Wraxhall's situation (whose salary appears to be greatly inadequate to the hardships and fatigues of his Office) by M^r^ Shirley, who has now the Chief Command in America and consequently the direction of this service, and to whom their Lord^pps^ recommend to you to apply upon this, and every other matter which relates to this branch of it.

I am with great truth Sir

Your most obedient humble servant

9. Oct. 1755. JOHN POWNALL Secr^y^.

Reverend Dr. Johnson to the Most Reverend Dr. Herring, Archbishop of Canterbury.

[" American Colonies MS.," Lambeth Palace, No. 1128, II., No. 102.]

New York October 25 1755

May it please Your Grace,

The bearer hereof is my son, who having been several years in the Society's Service as a Catechist, is now humbly desirous of being admitted to their service as a Curate or Assistant to M^r^ Standard[1] the very aged Missionary at West Chester, near me in this province of New York, and humbly begs leave to pay his duty to Your Grace, and to wait upon you for your instructions and your blessing. I therefore humbly presume to introduce him to Your Grace's kind notice, and beg Your Candor and Condescension towards him, as I trust he is an honest Youth, and have some reason to hope he may prove a useful man, especially in such a Country as this.

At West-Chester in particular, there is the greatest necessity of some good assistance, as the people there have been for many years sinking into a deplorable state of irreligion and neglect of the public worship; partly through the age infirmity and inattention of their Minister, and partly through the bad example and influence of some people of condition who affect to be a kind of Freethinkers, and not only neglect the public Worship themselves, but tempt the

[1] Rev. THOMAS STANDARD, was the first Episcopal Clergyman of Brookhaven, L. I., where he organized a congregation in 1725. *Thompson's History of Long Island*, II, 428. In the following year, he was removed to Westchester, vacant by the death of the Rev. Mr. Bartow, (*Rep. of Prop. Soc.*, 1727,) where he continued to labor until his death, which occurred in 1760; having been for some time before his demise incapable of performing his office in the Church. *Bolton's History of Westchester County*, II., 212. He was succeeded in 1761, by the Rev. John Milner. — ED.

vulgar to neglect and despise it: many of whom, however, if not all, I would hope may yet be reclaimed by the good conduct of a discreet, industrious and faithful clergyman.

And as Mr Standard, (having no child and a considerable estate, has, I think been too narrow in allowing my son but £40 this currency, i. e. about £22 sterling pr Annm when, at the same time he is past doing anything himself, (at least that is acceptable to his people) so that my son must, in a manner do all the duty; I should therefore be most humbly thankful for Your Grace's kind influence with the Society, that they would be so good as to allow him a small pension, which probably would not need to continue long.

With my son, as a friend and companion in his travels, goes one Mr Harrisson, a gentleman of good esteem in the Vestry of this Church, whereof he is a Member, who will wait on the Society with a letter from the rector church-wardens & vestry, relating to our College, of whom also I beg Your Grace's kind notice, as he purposes with him to pay his humbly duty to Your Grace: and to them I beg leave to refer Your Grace for an account of the condition of things here in America an particularly as to what concerns our young College. — I humbly beg Your Graces prayers for my son, amidst all the dangers and difficulties of this troublesome voyage, as well as for myself in my new and difficult station. I am, may it please Your Grace

Your Grace's most dutiful Son,
and most humble servant

To his Grace of Canterbury. (signed) Samuel Johnson

Lords of Trade to Governor Hardy.

[New-York Entries, B. P., p. 40.]

To Sir Charles Hardy Knight Gov: of N. York.

Sir.

We have received your letter of the 6th of Septr, acquainting us with your safe arrival in your Governt, and take the earliest opportunity of congratulating you thereon, and expressing our approbation of the message you sent to the Assembly, to enforce what had been before so properly recommended to them by Mr Delancey.

The zeal and resolution, with which the Provce of New York has shewn, in the vigorous measures they have taken for the defence of His Majesty's Rights and possessions, will, we doubt not, be very acceptable to His Majesty, and we have the greatest reason to hope, from what has been already done, that all the Colonies concerned in this important service will continue to grant such aid and assistance to Genl Johnson, as may enable him to pursue the great advantages he has already gained. — We are

Sir

Your most obedient, most humble servants
Dunk Halifax,
J. Pitt,
Fran: Fane
R. Edgcumbe.

7. Novr 1755.

Secretary Robinson to Sir William Johnson.

[Governors and Commanders in North America, (S. P. O.) No. 74.]

Whitehall Novr 11. 1755.

Sir,

Your printed circular letter, containing an account of the success of His Majesty's arms in the Action near lake George on the 8th Septr, and of the gallant behaviour of the Troops under your command, has been laid before the King, and I have his Majty's commands to take this early opportunity of expressing to you the sense, his Majesty has of the great and eminent service you have performed in the defence of his just rights, and in your Country's cause. The prudence, spirit, and resolution, which do so great honor to your Conduct on this important occasion, meets with His Majty's highest approbation; and the King is pleased to order, that you do signify to the Officers and private Men, who have so eminently distinguished themselves, that their resolute and undoubted behaviour has given His Majty the greatest satisfaction.

The prudence, Judgement and precaution, which you showed in sending to the New England Governments before the action, for reinforcements, must likewise have its share of the praise, which is so justly due to the whole of your conduct.

The alacrity and dispatch, with which the reinforcements were raised, is greatly to be commended, and there is reason to hope, that they will enable you to pursue the advantages you have already gained.

The Colonies which have so readily, and vigorously exerted themselves on this great occasion, will always find favour and protection from His Majty; and I have the particular satisfaction of having it in charge to acquaint you, that the King has been graciously pleased to confer upon you, as a distinguishing mark of His Royal favor and approbation of your conduct, the dignity of a Baronet of Great Brittain, and the patent will be accordingly transmitted to you, by the first convenient opportunity.

I sincerely congratulate you upon the honor you and the Troops under your command have acquired, and am with the warmest wishes for your further success

Sir ettc,

T Robinson.

Governor Hardy to the Lords of Trade.

[New-York Papers, Ll., No. 1.]

Fort George N York 27 Novr 1755

My Lords

I have received the Lords Justices additional Instructions to recommend to the Assembly of this Province to make effectual Provision for defraying the moyety of the expence of obtaining and executing His Majestys Commission for settling the controversy subsisting between this Province and New Jersey. The Assembly are to meet on tuesday the 2nd of December when I shall lay before them this matter.

I have also received the Lords justices order for repealing an Act passed in this Province in December last for submitting the controversy subsisting between this Province and New Jersey to the final determination of His Majesty.

Also your Lordships directions signified to me by a letter from M^{r} Pownall bearing date the 15th July last. Also your Lordships directions signified to me by a letter from M^{r} Pownall bearing date the 19th Sept^{r} last. All which matters I shall endeavor to transmitt to your Lordships as early as possible

Yesterday I returned to this City from Albany after a long residence there to assist and forward the expedition to Crown Point, having assisted at a meeting with General Shirley, and commissioners from the Massachusetts and Connecticut to fix Garrisons at the Forts at the Great Carrying place on Hudsons River & the South End of Lake George, called by the French Lake St Sacrament, for which purpose I appointed Commissioners to repair to the Camp at Lake George to act in conjunction with those from the other Governments concerned

The miscarriage of this Expedition is owing to many circumstances but principally to a want of care in carrying up a proper quantity of Provisions in Store at Lake George, before the arrival of the whole body of reinforcements raised after the battle on the 8th of September last. When I got to Albany I found the army under this circumstance and used all means in my power by impressing all the waggons and Horses round the Country, to send them the supplies necessary not only for their subsistance but to enable them to move forward But as these supplies could not be got to them in due time, and the enemys Posts of Crown Point & Tiondarago were greatly reinforced by part of the Forces brought from Europe by the Baron De Dieskau, in conjunction with Canadians and Indians, The Council of War upon considering these matters and the advanced Season of the year were unanimously of opinion it was not adviseable to proceed further this Season

The two Forts built at the Great Carrying Place and the South end of the Lake are I hope sufficient to maintain this advanced Frontier untill His Majestys Pleasure shall be known concerning them

I have the Honor to be
Your Lordships most
obedient & most humble S^{t}
CHAS. HARDY [1]

[1] Sir CHARLES HARDY, Knight, was the grandson of Sir Thomas Hardy, the distinguished Naval Commander in the reign of Queen Anne, and eldest son of Vice Admiral Sir Charles Hardy, Kt., who was one of the Lords of the Admiralty in 1743. In August, 1741, Captain Hardy was appointed to the command of the Rye, 40 guns, and in January, 1755, having been previously Knighted, was appointed Governor in chief of New-York, which office he filled until July, 1757, when he was appointed Rear-Admiral of the Blue, with the command of the Royal William, 84 guns, in the expedition against Louisburg. In June, 1758, he became Rear Admiral of the White; returned to England, and January 4, 1759, married Miss Stanyan, and was appointed, the same year, Vice Admiral of the White; and as such commanded under Sir Edward Hawke, in the Union of 90 guns, in the memorable victory of Belleisle, Nov. 20. During the winter of 1760, he was second in command of the Channel Squadron, and in 1764 was elected to represent the city of Rochester in Parliament. On the 28th October, 1770, he was made Admiral of the Blue; in 1771 was elected for Portsmouth; next became Admiral of the White, and in 1779, was appointed to the command of the grand Western squadron. On 17 May, 1780, he again hoisted his flag on board the Victory, at Spithead, having been appointed to the same command; but he was seized with an inflammation of the bowels the day before, and died on the 18th, at the Fountain Tavern, in Portsmouth, about the age of 67. *Gentleman's Magazine*, L., 213, 214. — ED.

Secretary Pownall to Sir William Johnson.

[New-York Entries, B. P, p. 45.]

To Sir William Johnson, Bart.

Sir,

I am directed by the Lords Commissioners for Trade and Plantations, to acknowledge their having received your Letter of the 3rd of Septr last, and to express to you their great concern, that you should have been obstructed in your endeavours to engage the Six Nations of Indians, their Allies and Confederates in His Majty's interest, by measures which you represent to be so injurious to your Character, and so prejudicial to His Majty's service.

As Mr Shirley has not in any of his letters mentioned this affair to their Lordpps, they are at a loss to guess at the motives for a conduct, which appears to them so inconsistent with the good of the service and with His Majty's views and intentions in appointing you to the Superintendance and direction of Indian affairs. But as so unhappy a misunderstanding between persons in so high command, can not fail of being attended with very bad consequences to the public service, they have thought it their duty to lay your letter and the paper transmitted with it before His Majty, to the end, that His Majty may give such directions thereon as shall appear to be most proper.

I have their Lordpps particular directions to congratulate you upon your success at Lake George, an event, which, at the same time that it does the greatest honour and credit to yourself and the brave Officers and Troops under your Command, cannot fail of being attended, with very happy consequences to those Colonies, which have so zealously concurred in, and so vigorously supported, this necessary and important expedition. I am

Sir

Your most obedient and most humble Servant

2nd Dec. 1755. John Pownall. Secry

Governor Hardy to the Lords of Trade.

[New-York Papers, LI., No. 2.]

(Duplicate)

Fort George New York Decr 18. 1755.

My Lords

My last of the 27th of Novr to your Lordships acquainted you with my return to this city from Albany

I met the General Assembly the 2d Inst. and inclose your Lordships my speech at the opening the Session with the addresses of his Matys Council and General Assembly, and my answers to them

The address from the Genl Assembly will inform your Lordships how they are disposed to comply with His Majestys Instructions to me, requiring them to pass a Law to establish a permanent Fund for the Support of Government, Your Lordships will also please to observe

they express a concern that they should be required to pursue measures hitherto unknown to them, while the other Colonys are left to practice the very measures denyed them; by this part of their address I judge they mean to insinuate, that others of His Majestys Colonies have been indulged in a continuation of providing an annual support of Government, though His Mâtys Instructions have been as full to his Governors, to demand the Permanent Revenue, as those I have the honor to receive for my Government in this Administration. I have taken the liberty particularly to observe on this part of their address to refer it to your Lordships consideration how difficult it must be for me to bring the People here to a compliance with this His Majestys Instruct^{n} while the neighbouring Governments and others on this Continent, are allowed to pursue the measures pointed out in this address.

From the present situation of affairs on this Continent I hope I shall stand excused in your Lordships judgment in avoiding a dispute with the Assembly on this subject, especially at this juncture when the most perfect harmony is so necessary in the different parts of the Legislature

I find my answer to their address has had this good effect and I trust your Lordships will not judge from it that I have given them any encouragement to hope I shall depart from His Majestys Instructions in this particular. But at the same time I must inform your Lordships that I do not expect they will frame such a Bill as that Instruction requires, But have reason to hope they will give up the other points contained in the Instruction with regard to Bills that may be proper for my assenting to on present or future emergencies

The short residence I have had in this city, since my arrival to this Government, has not enabled me to know men & things enough to be so particular to your Lordships as I could wish, I can only thus far say with respect to the Assembly, that they seemed very well inclined to come into every other measure I have recommended to them for the promoting His Majestys service

I have this week attended General Shirley at a Council of War for determining the operations to be carryed on next year, for the removing the French from their incroachments, and securing His Majestys Rights on this Continent, which I presume General Shirley will transmit to your Lordships

I have the honor to be
Your Lordships
most obedient and humble
Servant
CHAS. HARDY

Sir William Johnson to the Lords of Trade.

[New-York Papers, Ll., No. 15.]

Fort Johnson Dec. 18. 1755

My Lords

The Season of the year and other circumstances made it necessary to close the Campagne and discharge the Provincial Troops under my command.

When I first knew of my appointment to Indian Affairs, I repeated my desire of my being excused from my Military Command I was sensible, and I pleaded that it would, as it actually did, so interfere with my administration of Indian affairs, that I could not attend them in the manner I wished to have done

By my military engagem^{ts} I have not been able to be at my own House, or in the Indian Country, one day these four months. and now I am last got home, and am just entering into the administration of Indian affairs, so as to form and conduct them to the extent of my knowledge and abilities for the good of His Majestys service, I am again obstructed and every thing put to a stand by Gen^{ll} Shirleys sending me a new commission and Instruction for the management of Indian affairs, and ordering me to attend him either at New York or Boston, the least of which is 200 miles distant from hence; this journey I am but ill quallified for, upon account of my wound the effects of which I still feel I herewith transmit to your Lordships copies of M^{r} Shirleys Letter, Commissions & Instructions and also of my answer

The necessity I am under of going, either to New York or Boston, to know upon what footing I am to go on with the administration of Indian affairs, or whether I am to go on at all, will continue these affairs in a state of confusion, and besides I am to have a meeting with some Indians of all the Nations at this place the 22^{d} of next month

I propose to myself the honor of writing to your Lordships an other letter from New York or Boston—I am most respectfully Y^{r} L^{dps} &c

W^{m} JOHNSON

General Shirley to Sir William Johnson.

[New-York Papers, LI., No. 16.]

New York Dec 7th 1755

Sir

You already know I have the honor to be appointed Command^{r} in Cheif of all His Majestys Forces in North America, with the same Powers as the late General Braddock had the command.

Inclosed is the 8th article of His Majestys Instructions to me concerning Indian affairs, which is a copy of that, and the only Instruction which the late Gen^{ll} Braddock had relative to that matter, you will find it refers to some appointment of you to the service therein mentioned, supposed to be made by His Majesty before Gen^{ll} Braddock left England, if you have received such a commission—you will act in pursuance of it, according to the Instructions you may have received with it, and such further Instructions as I do now or shall hereafter send you. In case you have received no such commission, you will then act in pursuance to the Commission which I send you herewith, by virtue of the Power given me by His Majesty and founded upon the words and intent of his Royal Instructions, looking upon the Indians called there the Northern Indians, to be intended of those of the Six Nations, and whatever allies they may have to the Northward

Inclosed are general Instructions for your Guidance and Directions in the execution of your Trust and some calculated for this occasion to which I refer you, and to the enclosed papers

containing an account of Governor Morris's Intelligence and Proceedings relative to the Shawanese, Delawares, & other Indians therein mentioned and of his Messages to several Tribes of the Six Nations, which last mentioned papers will throw light upon the Service, I propose now by directing you to proceed to these Castles

You will let me know by the return of this express whether you have received any other Commission than that from the late General Braddock relative to the care of the Indians and how far I may depend upon your acting under the inclosed Commission and proceeding in the Service I now direct you to go upon, that in case you may decline it, I may otherwise provide against His Majestys Service being disappointed by that means

If the advanced Season of the year, or your state of Health will not suffer you to go as far as the Onondaga Castle you will then transmit the business by proper Messages to such of them as you cannot personally go to

As the effectual execution of the trust reposed in you, will on many accounts require my having an interview with you as soon as the business I now direct you to do will admit, I must desire you to let me see you at Boston this Winter some time before the month of March at furthest.

I am

Sir

Your most humble Servt

To Majr Genll Johnson. Wm Shirley

General Shirley's Commission to Major General Johnson.

[New-York Papers, Ll., No. 17.]

By His Excellcy William Shirley Esqre Major Genll and Commander in Chief of all His Majestys Forces in North America

To Major Genll Willian Johnson

By virtue of the Power & Authority to me given and granted by His Majesty to appoint a proper Person or Persons agreable to the Northern Indians to improve a good correspondence with them, and to engage them to take part, and Act with His Majestys Forces, in such operations as I shall think most expedient; I do by these presents in the name and behalf of His Majesty, commit to your care and management the execution of the aforesaid Trust, hereby appointing and fully authorizing you to repair to the Indians of the Six Nations and their Northern allies, and to use your best endeavours to engage them to take part and act with His Majestys Forces in such opperations as I shall think most expedient and according to such Instructions as you shall from time to time receive from me. And you are from time to time to make report to me of your proceedings herein and of all material occurrences which may effect His Majestys Interest with the said Indians

Given under my hand and Seal at New York this seventh day of December in the twenty ninth year of His Mays Reign

W Shirley

By His Excellency's Command

Wm Alexander Sêcry

General Shirley's Instructions to Major General Johnson.

[New-York Papers, Ll., No. 18.]

Instructions to W^m^ Johnson Esq^re^

1 You are on the receipt hereof to send Messengers to the principle Castles of the Indians of the Six Nations and endeavour if possible to have a general meeting of their Cheif Sachems and Warriors at their antient Council Place at Onondaga as soon as may be after you shall receive these Instructions and the Commission therewith.

2. You are then to acquaint them that I succeed the late General Braddock in his Command and that I have thought fit for His Majestys Service to commit to your care the cultivating a Friendship between them and the Northern Nations of Indians depending upon them and His Majestys Subjects and engageing them in a firm alliance with His Majesty against the French and the Indians in their Interest, in the present expedition for recovering His Majestys just rights, and the country out of the hands of the French.

3 You are then to acquaint them that your calling them together at this time, is occasioned by the late behavior of the Shawanese and Delawares Indians in the Province of Pensilvania

4 You are then to deliver them my speech delivered to you herewith which you are to enforce by all arguments in your power and with such presents as you shall judge necessary and you are to endeavor to prevail on them to send some of their Warriors to forbid the Delaware and Shawanese Indians to commit any hostilities against the English and in case these Indians shall not comply with such Orders to chastize them for their Behaviour as it bids defiance to that Authority which the Six Nations always maintained against those Indians and to make them sensible that unless they do that, they will not only infallibly loose that authority for ever, but with it the Character of the Six Nations have always sustained of being Masters of those Indians

5 You are also to assure them in the strongest Terms that I shall do all in my power to protect them and their Allies from any danger they may apprehend from the French, and particularly the Oneidas, that agreeable to my promise to them I have ordered Justice Petri to engage a sufficient number of men to build them a Fort of such size and in such place in their country as is most convenient to them and that I will if they chuse to have them this Winter send an officer with 30 men to reside among them as soon as their Barracks in their New Fort are ready to receive them

6 You are to use every expedient in your power to cultivate and improve a good correspondence with the Indians of the Six Nations and their Allies and endeavour to prevail on them to declare themselves, and to take up the Hatchet against the French & their Indians as well as to act immediately against those who have lately invested the borders of Pensilvania, Maryland & Virginia, as to be ready to take part & act with His Majestys Forces in such operations as I shall think most expedient

7 You are from time to time to inform me of your proceedings herein, and particularly to inform me as soon as may be, the answer of those Indians to my speech now sent and to inform me of the state of the new Fort now building for the Oneidas and when you judge the Barracks in it will be in a condition to receive a Garrison of His Majestys Troops and whether it will be absolutely necessary to send Troops to Garrison it this Winter, or whether the Indians will not be content to be without that Garrison until the Spring

8 And whereas I have great reason to expect that a number of the Sachems and Warriors of the Messagues, Cheppewes, and Outawas will meet me next Spring at Oswego & as the Cheif Sachems of the Oneidas and Cayougas have promised also to meet me also then there, and as it will be necessary that as general a meeting as possible be had there with the Indians of the Six Nations you are therefore to use your best endeavours to engage some of the Cheif Sachems and Warriors of all the Six Nations to meet me at Oswego early in the Spring to concert such measures as may be for the mutual benefit of them and us

Given under my hand at New York this tenth day of Decr Annoq. 1755

W Shirley

By His Excellencys Command

Wm Alexander Secry.

Sir William Johnson to General Shirley.

[New-York Papers, Ll., No. 19.]

Fort Johnson Dec 16. 1755

Sir

Your Excellencys Paquet I received this instant together with a Commission or Warrant from you for the Management of Indian Affairs, also a Letter and other Papers from Govr Morris of Philadelphia concerning the Hostilities committed and still committing by the Indians on the Frontiers of that and the Neighbouring Provinces, desiring I would us my utmost endeavors to put a stop to it

On my return from Lake George I received an account of the cruel proceedings of the Indians in them parts by an express from Sir Charles Hardy and as soon as I got home, despatched Messages to all the six Nations, and also to the Susquehanna Indians, Delawares and Shawanese acquainting the former of the Behavior of those Indians and insisted on their immediate Interposition to the latter who are the people concerned; I sent a very smart reprimand for their unnatural and unjustifiable Behaviour to their Brethren and Neighbours the English; giving them a strong and warm Invitation to join us, and turn their arms this way against the French and their allies. What effect it will now have upon them I can't pretend to say with any certainty, but this much I make bold to say, that if I had not been so much employed otherwise this Time past and for some other Reasons I shall defer mentiong now Indian affairs would be in a much more favorable and prosperous way, and this perhaps not have happened;

I have this long time been told there was a Commission from His Majesty for me, and that it was sent by the late General Braddock, but I never received any, nor pay for the one I had of him, alltho' I have neglected all my own business, on account of it and suffered much thereby

I shall soon write your Excellency more fully and let you know my inclinations regarding the Commission

I proposed ere I received yours to have a meeting of all the Nations I could assemble at this Season of the year, in order to settle matters with them in the best manner possible, & prepare them for Service in the Spring it will take some time to get them together, so that I may go to New York for a Fortnight, and settle affairs & be back ere they are assembled.

I am

Your Excellencys

Most obedient & mo

humble Servant

Wm Johnson.

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